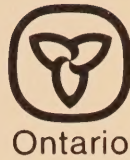


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Study of Mind Development Groups, Sects and Cults in Ontario

DANIEL G. HILL, SPECIAL ADVISOR

A REPORT TO THE ONTARIO GOVERNMENT

June 1980



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STUDY
OF
MIND DEVELOPMENT GROUPS,
SECTS AND CULTS
IN ONTARIO

DANIEL G. HILL, SPECIAL ADVISOR

A REPORT TO THE ONTARIO GOVERNMENT

JUNE 1980



Ontario

iii

Office of the
Special Advisor

Study of Mind
Development Groups,
Sects and Cults

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June 5, 1980

The Honourable R. Roy McMurtry, Q.C.
Attorney General of Ontario
18 King Street East
Toronto, Ontario

Dear Mr. Minister:

In accordance with my appointment as a Special Advisor as announced in The Ontario Legislature on October 24, 1978, I have the honour of submitting herewith, the final report of my study for your information and consideration.

Yours respectfully,

Daniel G. Hill

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PREFACE

The study of new religions, cults, sects, and mind development groups was conducted over an 18-month period. Former members of these groups, their families, and friends were most helpful in describing to the study their unfavourable experiences as former participants. Equally important was the contribution of active group members, who outlined the favourable aspects of their current participation in these organizations. Further, the study benefitted from the close co-operation and assistance of many government, voluntary, religious, and educational organizations.

I am deeply indebted to all persons who were interviewed or sent briefs and submissions. As well, I am grateful for the letters outlining points of view from hundreds of persons and organizations and for the numerous telephone calls with suggestions and information. Many persons also sent clippings, pamphlets, books, and articles that were most helpful in the research process. All letters, petitions, and other materials were formally acknowledged and duly considered.

A number of specialists and experts graciously provided information, experience, and advice and I am most appreciative of their assistance.

I also wish to acknowledge my gratitude for the

tireless efforts of the entire study staff who performed a difficult and frequently frustrating task with dedication, commitment, and loyalty.

In addition, I wish to express special appreciation to my colleague in this project, Professor Marvin Schiff of the School of Journalism at Carleton University. Professor Schiff, former Director of the Nova Scotia Human Rights Commission, was Associate Advisor to this study. Working closely with me, he assisted in conducting interviews, analysing research materials, drafting this report and other aspects of the undertaking. I deeply appreciate the intellectual skills, judgment, and balance that he brought to an onerous task, and I am thankful to Carleton University for making him available.

I valued greatly and relied heavily on the keen administrative abilities of Shannon Hogan, the Project Coordinator. She kept the study rigorously on course, calmly resolving numerous administrative crises. In addition she provided thoughtful contributions in respect to content and methodology as well as to the over-all study undertaking. I am grateful to the Ministry of Education for allowing the secondment of Mrs. Hogan to the study.

The Ministry of Treasury and Economics was equally gracious in lending the services of Wendy Paniak, whose research expertise and survey skills were invaluable.

Counsel for the study was S. Casey Hill from the

Crown Law Office - Criminal Division of the Ministry of the Attorney General. He provided careful, detailed legal research and advice on all aspects of the project, assisted in our liaison with other government ministries, and arranged security for the study.

In addition, the research assistants, secretaries, and the editor were involved in long hours of typing, checking sources, research, editing, and bibliographical work that was invaluable throughout the study process. In this regard I would like to acknowledge fully the efforts and contributions of Mary Ashkewe, Patricia Ferguson, Lynn Giesler, Mary Clare Havey, Lorraine Hubbard, Barbara Walsh, and Laurie Jacobson.

The consultative services offered by Assistant Deputy Attorneys General Archie Campbell and Blenus Wright and the administrative resources provided by Peter Clendinneng and Roland d'Abadie of Inquiry Management, Appointments and Royal Commissions were most valuable. The study also received splendid co-operation throughout from the Ontario Provincial Police, particularly by Detective Sergeant Al Ciampini.

Two special papers were commissioned during the course of the research. Dr. Saul V. Levine, Professor of Psychiatry at the University of Toronto and Senior Psychiatrist at the Hospital for Sick Children, prepared a report on "Physical and Mental Health Aspects of Religious Cults and Mind Expansion Groups." Dr. Levine has written and published many articles on the subject of new religions, mind development

groups, sects, and cults in Canada.

Dr. David N. Weisstub prepared a paper dealing with legal aspects of the problem, entitled "The Legal Regulation of Cults: A Policy Analysis." Dr. Weisstub is Professor of Law at Osgoode Hall Law School and a professor at the Clarke Institute, University of Toronto. He has written and lectured extensively in the area of deprogramming.

As the reader progresses through this report, it may be noted that while the government entitled this project a study of mind development groups, sects and cults, the term of "new religions" has been added in the text. That was a decision I took soon after starting the study's work, and the reasons are explained in Definitions and Origins, the third chapter of the report.

It also will be apparent that the report is descriptive in large part. To as full an extent as possible, the study has attempted to present the factual base upon which conclusions were founded. At the same time, though, an effort was made to elaborate fully the reasoning behind each of the conclusions.

In the Introduction to this report, the reader will find a detailed description of research methods and an exposition of the principles upon which the study's approach was based.

The second chapter, Historical Perspective, puts the so-called "cult phenomenon" in a historical context to demonstrate that the current manifestation is not unique and to

identify any lessons that we may draw from history.

Definitions and Origins, the third chapter, indicates the sense in which various terms are used in this report and describes the evolution of the kinds of movements that are examined here.

In the chapter entitled Describing the Phenomenon, the report discusses typologies or categories under which groups might be placed. It also describes the movements under examination as far as possible in terms of their size, credos, practices, life-styles, appeal for young people, leadership, and other characteristics.

A fifth chapter, Deprogramming, describes the origins and nature of that phenomenon, particularly as it has appeared in Ontario.

In the chapter entitled The Debate, an attempt has been made to outline as fairly and faithfully as possible the major arguments of those who engage in the disputes over cults, sects, mind development groups, new religions, and deprogramming.

The seventh chapter, Government and Public Agencies, outlines pertinent legislation already in effect in Ontario and describes the experience that public authorities have had in dealing with issues involving the movements or deprogramming.

In the eighth chapter, Public Comments/Recommendations, a substantial sampling of the views and advice the study received from a broad array of informed organizations and persons is set out in detail.

Conclusions, the ninth chapter, represents my own views. Here, the report describes the origins and function of the principles that guided me in my considerations. It sets out my individual and over-all conclusions and explains the reasoning behind them.

Appended to the report are the special papers prepared by Dr. Levine and Professor Weisstub. Also appended is a bibliography, indicating the literary sources used by the study and a list of consultations, briefs, submissions, and other relevant documents.

It is my hope that the reader will examine this report in its entirety, for each section covers an element that figured directly and weighed heavily in my ultimate judgments.

I sincerely believe that the study can be of educational value to the Ontario community, especially to those who quest for new spiritual and moral strength in an increasingly troubled world.

CHAPTER 1

INTRODUCTION

It would be best to clarify at the outset what this study has not been about. It was neither about religion nor politics. To partisans on each side of the many questions, especially those to whom the validity of a belief is a core issue, that fact may be disappointing. The study took as its established principle -- that it is not appropriate for governments or their agents to adjudicate the legitimacy of beliefs.

The study has not been concerned with beliefs but instead with the acceptability of practices that are said now to be used among cults, sects, mind development groups, new religions, and deprogrammers in Ontario. Indeed, that distinction was explicit in the study's terms of reference. In his instructions to the study, Roy McMurtry, Attorney General of Ontario, stressed that the government wanted:

...review of the practices of mind development and mind awareness groups, including the practices of sects, cults, and the practices of deprogrammers in Ontario...

The government has received particular expressions of concern in relation to the effects of mind development practices and the practices of sects and cults on the mental and physical health of group members, apprehension of physical or psychological coercion, the recruitment methods and business practices used by such groups...and the practice of deprogramming.

The distinction between belief and practice is not always as easy to maintain functionally as it is to

state theoretically. Therein lay one of the study's dilemmas. Clearly, practices often are endowed with ritual, as opposed to secular significance. They frequently are imbued with a religious or symbolic value that renders them central to a belief system. To believe in a particular way is to act in a particular way, and the former often cannot be independent of the latter.

The Attorney General's instructions clearly indicated there were ample grounds for believing that a substantial concern existed among the public regarding practices of some cults, sects, mind development groups, new religions, and deprogrammers. Those concerns deserved responsible attention. In the study's view, it was possible to give them that attention while remaining sensitive and faithful to the civil and religious liberties of persons and groups involved.

The study then conceived of its task in terms of generating responses to a set of fundamental questions. These questions were: Are there reasonable grounds for believing that allegations made against the groups and deprogrammers are true? If so, are they susceptible to legitimate forms of government intervention? Are existing civil and criminal law remedies sufficient? If not, what additional legislation is required? Could these new laws be implemented without infringing on the rights and freedoms of the individuals and groups in question or, for that matter, others as well? If not, do the practices constitute so overwhelmingly serious a threat to public welfare that some

infringement upon rights is to be tolerated for the sake of the greater good? Meanwhile, basic to the entire process was the question: Is there reason to propose that a formal public inquiry be conducted regarding any aspect of the activities of cults, sects, mind development groups, new religions or deprogrammers?

While these questions and civil liberties considerations provided a theoretical framework for the study and set some philosophical limits for it, the Attorney General established some additional practical parameters that shaped its approach:

As this process is a study and not a formal public inquiry, I do not believe there would be any basis for you to take evidence under oath, nor would you be required to conduct any public meetings. It is not the function of your study to make adverse findings of fact in relation to any identifiable individuals or groups.

In other words, the study did not have the legal power to require that anyone or any group provide information or co-operate with it in any other way. Whatever assistance the study received would have to be given voluntarily. Moreover, in reporting its findings, the study could not attribute anything adverse or questionable to any identifiable person or group.

IDENTIFYING THE GROUPS

One of the more crucial procedural questions of the study involved which groups should be examined. Even

though no formal count of Ontario cults, sects, mind development groups and new religions was attempted, minimum estimates from police and other information showed there were more than 100 possible candidates for study. Clearly, it would not be feasible to examine all these groups in anything approaching a comprehensive manner. More to the point, though, to do so would be an undue intrusion on the rights of those groups about which no concern of the kind the Attorney General described had been voiced. Therefore, it was decided that the basic criterion would be examination of those groups against which written complaints had been made to government officials, provincial agencies or police. If a group was selected for study, it did not mean that the study had made a judgment about the legitimacy of any complaint. At this point, the study only judged whether complaints filed against a group were akin to those described by the Attorney General.

Meanwhile, the study anticipated that some of the more long-established sectarian movements in Ontario also may have had complaints lodged against them. As a group, they were not objects of that special concern referred to by the Attorney General. They were no part of the so-called "cult phenomenon" around which a distinct body of public anxieties had formed. Therefore, they had no place in this particular study. In order to further define its subject area, the study decided to examine a group only if its initial appearance in Ontario could be dated back no further

than the end of the Second World War. Literature has shown that most of the groups and new religions are a phenomenon occurring after the Second World War.

With even these criteria, the study found its selection process entailed a few complications. Some groups, named in complaints, appeared to be inactive and subsequently were dropped from the study. In a few cases, either the movements or the complaints against them seemed entirely too insubstantial to pursue.

14 Groups Examined

Finally, 14 groups were selected on the basis of the study's criteria. Sources and the nature of complaints will be discussed in some detail later. However, the groups that emerged as the focus of the study were:

- Ananda Marga
- Apostles of Infinite Love
- Brotherhood (Unfoldment)
- Children of God
- Church of Scientology
- Divine Light Mission
- Fellowship of Christians
- Foundation Faith of God
- International Society for Krishna Consciousness
(Hare Krishna)
- Institute of Applied Metaphysics (I*AM)
- Maharishi International Academy
(Transcendental Meditation)
- Mind Awareness
- People Searching Inside (Psi)
- Unification Church

As well, persons known to have been involved in deprogramming or associated with a group in some way also were identified.

Perhaps inevitably, the movements and some individuals, selected for the study's examination, reacted with a general wariness. In a few cases there was explicit resentment. In an effort to dispel suspicions of some groups about the study's declared concern for fairness and civil liberties, a meeting with their representatives was arranged through the good offices of Dr. Joseph O'Connell, a professor of religion at the University of Toronto. As well, further discussion and correspondence occurred with the organizational and legal representatives of a few groups.

Terms of Co-Operation

The objective of these exchanges was to gain the groups' co-operation. Accordingly, it was stressed that the study was not a formal inquiry or investigation, participation in its work was voluntary, and it was not empowered to make adverse findings of fact involving the movements under examination. The groups also were assured that if they participated, they would be told the general nature of complaints made against them.

Ultimately, most of the movements, identified as falling within the ambit of the study, agreed to co-operate. However, the Church of Scientology chose not to do so, but some of its parishioners spoke unofficially with the study and submitted briefs and volumes of resource material. The Unification Church also chose not to co-operate formally, but granted the study staff a "hospitality" meeting at its Toronto centre and also provided published material.

The Unification Church did participate in the study's interview process of group members. The Apostles of Infinite Love contended that they were based in Quebec and were not properly a part of the Ontario study. The Fellowship of Christians said they were facing financial and legal difficulties and could not be part of the study. No representation of the Children of God could be found. And while some persons associated with de-programmings in Ontario did co-operate with the study, others from among their ranks also chose not to participate.

SOURCES AND METHODS

The study began to gather what ultimately became a small library of books, research papers, articles, interviews, briefs, tape recordings, and other documents relevant to its task. In this aspect, the study employed a wide variety of research techniques, such as, searches of government and police files, interviews, informal opinion surveying, correspondence, media content analyses, and reviews of relevant literature. Results of many of these undertakings and analyses of the collected data will be described later. The purpose here is to enumerate the study's sources and describe the methods used to obtain the information.

If the study had needed advice on where to start this aspect of its work, it had only to turn to its terms of reference.

There the Attorney General had said: "You will have available to you all the information pertaining to these matters which has come to the attention of the government and other public agencies."

Accordingly, the study undertook a survey of those provincial ministries and agencies that might have had relevant experience. The following provincial bodies were asked to meet with the study's staff and make appropriate information in their files available: The Ministries of the Attorney General, Consumer and Commercial Relations, Community and Social Services, Correctional Services, Culture and Recreation, Education -- Colleges and Universities, Health, Housing, Industry and Tourism, Revenue, Solicitor-General and the Ontario Human Rights Commission, the Office of the Ombudsman, and the Ontario Provincial Police.

In this survey the study also sought pertinent information from all members of the Ontario Legislature, federal members of Parliament who represent Ontario ridings, the Royal Canadian Mounted Police and the federal departments of Employment and Immigration, External Affairs, Justice, Revenue and Solicitor-General.

400 Contacted

About 400 elected officials and public offices were contacted. Responses included offering resource material, information regarding personal experience, and comments on the subject of the study. A summary of agencies and officials covered in this survey is presented in Table 1.

Table 1 SURVEY OF PUBLIC OFFICIALS AND AGENCIES		
Public Officials & Agencies	No. Contacted	No. of Replies
<u>Provincial</u>		
Ministries and Government Agencies*	13	13
Ontario Members of Provincial Parliament	97	16
Ontario Crown Attorneys	51	32
Provincial Attorneys General	10	10
Ontario Provincial Police District & General Headquarters	17	17
<u>Federal</u>		
Federal Members of Parliament	88	32
Departments & Agencies	6	6
<u>Municipal</u>		
Councils	98	18
Municipal Police	22	22
TOTAL	402	166
*This includes the Office of the Ombudsman although it is recognized that the Ombudsman is responsible to the Legislature and is not, as such, a government agency.		

Meetings were arranged with deputy ministers and other chief executive officers of 13 selected provincial ministries and agencies to ensure the co-operation and assistance of their offices. About 40 more meetings followed with senior ministry officials and liaison staff to seek relevant information from ministerial experts and

resource personnel. Although its mandate required that the study be granted access to all relevant information that had come to the attention of provincial departments and agencies, in some instances, it took considerable time and consultation to gain their compliance and make working arrangements. Among other considerations, it was necessary to ensure that statutory privacy and secrecy provisions were respected in the selection of material for the study and the manner in which some of it was made available.

Since substantial public concern seemed to centre around physical and psychological damage allegedly caused to some members by their groups, much of the study's information-gathering was designed to shed light specifically on this issue. The Ontario Ministry of Health, hospitals, many municipal and community health services, and doctors were asked to share their knowledge and expertise.

All psychiatric facilities in Ontario -- provincial, university, private and general hospitals with psychiatric departments -- were questioned whether they had any records of patients with physical or psychological disorders related to participation in cults, sects, and mind development groups or new religions. Comments, briefs, papers, and consultations were requested of clinicians and others who felt they had pertinent information to contribute. Thus Table 2 is an enumeration of the kinds of health service organizations that were consulted:

Table 2 SURVEY OF ONTARIO HEALTH SERVICES		
Ontario Health Services	No. Contacted	No. of Replies
General Hospital (Psychiatric services)	63	26
Psychiatric Hospitals	13	8
Municipal & Community Public Health Services in Toronto	23	9
Professional & Voluntary Health Associations	9	8
TOTAL	108	51

Extensive interviews were also conducted with 23 clinicians and researchers including three prominent U.S. experts (Margaret Singer, John Clark and Marc Galanter and E. Mansell Pattison).

The Ministry of Health made available all records, communications, memoranda, and briefs in its files. After names had been deleted, psychiatric hospital records of a number of patients, who were reported to have been harmed by participation in the activities of some groups, were received for a special sub-study on health-related matters.

In addition, meetings were held with representatives of the Ontario Medical Association, Ontario College of Physicians and Surgeons, Ontario Addiction Research Foundation, and Ontario Association of Clinical Hypnosis.

To the extent possible, the study had to assess the experience of police forces throughout the Province of

Ontario involving mind development groups, sects, cults, new religions, and deprogrammers. The study requested the co-operation of the Ontario Provincial Police General Headquarters in determining the nature and extent of the force's direct contact with such groups and of any complaints made by the public to the force. The Ontario Provincial Police General Headquarters contacted its 16 district headquarters in the province to inquire about their local experiences. Each district headquarters canvassed individual detachments within its jurisdiction and all responded to the inquiries. The district headquarters participating in the survey were:

- District #1 - Chatham
- District #2 - London
- District #3* - Burlington
- District #5 - Downsview
- District #6 - Mount Forest
- District #7 - Barrie
- District #8 - Peterborough
- District #9 - Belleville
- District #10 - Perth
- District #11 - Long Sault
- District #12 - North Bay
- District #13 - Sudbury
- District #14 - Sault Ste Marie
- District #15 - South Porcupine
- District #16 - Thunder Bay
- District #17 - Kenora

* Detachments in the former District #4 are now administered by District #3 Headquarters.

The majority of municipal police forces in Ontario and the Ontario Provincial Police jointly maintain an information sharing system known as the Criminal Intelligence Service Ontario (C.I.S.O.). Those 22 police forces voluntarily reporting to the study through the C.I.S.O. were:

Metropolitan Toronto
 Barrie
 Thunder Bay
 St. Catharines
 Haldimand-Norfolk Region
 Brantford
 Belleville
 Sudbury
 Sault Ste Marie
 Cornwall
 North Bay
 Durham Region
 Hamilton
 Windsor
 Waterloo Region
 Peterborough
 Sarnia
 York Region
 Ottawa
 Peel Region
 Kingston
 Halton Region

In some instances, 25 municipal police forces
 volunteered information directly to the study or through the
 C.I.S.O. They were:

Metropolitan Toronto
 London
 Hamilton-Wentworth Region
 Windsor
 Sarnia
 Kitchener-Waterloo Region
 Wawa
 Picton
 Marathon
 Nepean
 Atikokan
 Barrie
 St. Thomas
 Durham Region
 Ottawa
 North Bay
 Leamington
 Arnprior
 Brockville
 Tillsonburg
 Pembroke
 Orangeville
 Kenora
 Sault Ste Marie
 Thunder Bay

Police forces were not asked about specific groups, but movements that, entirely by police definitions were classed as being cults, sects, mind development groups or new religions. Therefore, while much of the information provided dealt with the groups examined in this study, a good deal of it referred to other groups as well. Among the data provided was information on complaints received from members of the public, police intelligence observations and charges laid under the Criminal Code, provincial legislation or municipal bylaws. In some instances, reports consisted only of indications that some groups existed within various forces' jurisdictions but had created no problem and perhaps were even considered valued organizations in their communities.

Letters also were sent to 51 Crown Attorneys in Ontario requesting information concerning disposition of civil and criminal cases in Provincial Court, County Court or Supreme Court involving deprogramming, family or custody problems related to cults, sects or mind development groups. Information also was sought about criminal cases, which have come to the attention of Crown law officers. A total of 32 replies were received, but only four respondents felt they had information of value to the study.

Second Stage Started

With its review of information from government and police sources well underway, the study started the second stage of research proposed in its terms of reference. As the

Attorney General had said: "...you will undoubtedly wish to receive submissions from groups and members of the public and to interview individuals who may have something to offer and are interested in sharing their views with you." To tap that reservoir of participant knowledge, scholarship, and informed opinion on which it was essential to draw, the study conducted hundreds of interviews, made its receptiveness to written submissions widely known, and sent hundreds of letters seeking information.

Perhaps the most time-consuming and often the most emotionally-taxing part of this process was the interviewing. An effort was made to keep these meetings as informal as possible and to permit interviewees as much latitude in the presentation of their cases as clarity and reasonable considerations of time would permit.

Since this was a study and not a formal inquiry, the emphasis was on voluntary participation. This fact had advantages and drawbacks. On the positive side, the study worked with people who wanted to co-operate. As a result, most persons interviewed manifested an honest desire to make a valid contribution to the study, and many participated with enthusiasm.

As a study, no reliable mechanism was afforded for checking and corroborating many of the stories because the study had no statutory power to compel information. Fortunately, court documents or other independent evidence often were available in such instances, but in many cases questions had to be

left unanswered.

At the outset of each interview, participants were given copies of the study's terms of reference and the following points were stressed:

- . No adverse findings of fact concerning any identifiable group could be included in the report;
- . Participation in the study was a purely voluntary matter;
- . Confidentiality was assured to any participant who wished it.

The groups -- and frequently others -- were informed that it was not a function of the study to challenge beliefs or adjudicate the correctness of doctrines.

In the course of the project, 253 interviews were conducted with many of them involving at least two and often several persons. Most interviews were completed in two or three hours, but some took longer and a few consisted of three-to-five-hour sessions each day over a period of four or five days. Among the interviewees were former and current members of various groups, parents, other relatives or friends of former and current members and spokesmen for many movements. Interviews also involved deprogrammers, aides in deprogrammings, psychologists, psychiatrists and medical practitioners with clinical or research experience in the field, sociologists, educators, clergymen, journalists, government officials, police officers and civil libertarians.

Table 3 INTERVIEWS HELD BY THE STUDY (January 1979 - December 1979)	
Organization, Group or Individual	No. of Interviews
Organizations and experts - CANADA	60
- U.S.	15
Government officials & agencies	39
Group spokesmen	10
Former members and families	73
Active members	48
Others	8
TOTAL	253

Interviews and Interviewees

From the time the study was first announced in the provincial Legislature on October 24, 1978, a roster of potential interviewees began to take form. Among them, of course, were persons who already had made complaints about cults, sects, mind development groups or new religions to a provincial ministry, agency or the police. As well, the announcement seemed to spur others to come forward with new complaints. About half of these 73 interviewees were former group members, who protested mostly about financial exploitation, mind control and physical or mental damage they allegedly had suffered at the hands of their movements. The balance involved parents, other family members or sometimes friends distressed at the "loss" of loved ones to movements

that allegedly engaged in brainwashing, hypnotism, the enslavement of members and the wilful severing of family ties. For the most part, these interviews, were sensitively personal and emotionally charged. However, most interviewees seemed to have anticipated this before coming to the study and, as a result, spoke candidly despite the pain and tears the experience often demonstrably provoked.

While these interviews were kept as informal as possible, the study attempted to elicit information about a uniform set of topics, such as, the interviewee's personal background, factors that led to joining a movement, the socio-economic structure of the group's membership, and the interviewee's experience with the group from initial contact to departure. The topics also included experiences following membership, the group's administration and financial practices, assessments of the positive and negative effects of membership, any experiences with deprogramming and views concerning the practice, and opinions on government action. Although the study's sample was small, nevertheless the information from these sessions gave valuable, first-hand insights. When the results of 54 interviews with families and ex-members were analyzed, the data patterns were in general harmony with other creditable research.

Co-operation from Movements

For the other side of the issues at hand, the study tried to enlist the co-operation of official spokesmen for the groups under examination and several current rank-and-file members of each group. As noted earlier, the majority of the 14 movements were highly co-operative. Not only did their spokesmen consent to interviews, but most submitted written responses in advance to basic informational questions asked by the study. They also provided literature on their movements and assisted in scheduling interviews with ordinary members. This was done despite resentment and dismay some felt and expressed about their movements being publicly drawn into question. Two other movements chose officially not to participate while some forms of assistance were accorded the study from individual members of these groups.

Meetings with group spokesmen, which generally ran from three to four hours in length, usually were conducted at the study's offices. In some cases, interviews were held at group centres and headquarters. They were asked about the origins and evolution of their groups in Ontario, size and organizational structures, make-up of their memberships, and their administrative and other practices. The general nature of complaints against them was revealed and their comments were solicited. They also were asked to elaborate on any complaints about treatment by government officials, deprogrammers, police, the media or any other segments of society. And, finally, their views were discussed on the issue of government or other action in this field.

To facilitate the interviewing of some of their rank-and-file members, participating movements provided membership lists and the study chose four names at random. Although the study was satisfied that the movements were co-operating as fully as possible, the selection ran into difficulties. Since the interviews were conducted largely during the summer months, many members the study selected were away on holiday or could not be traced at all. In other instances, the groups explained, membership lists were not up to date or had to be compiled especially for the study, so that some of the individuals selected had left the movements. Then, after eliminating group leadership and staff, some movements claimed they did not have enough ordinary members left for the study's interview.

Group Members Interviewed

However, 35 active members selected from various groups were finally interviewed individually for about an hour. Each was told that participation was voluntary, but it was stressed that the member may leave unanswered any question. The questions generally paralleled those asked of former group members, and the results provided another kind of insider's perspective on matters under study.

There still were many more perspectives to cover. The study conducted 60 interviews with persons who had some recognized expertise and experience in the area, such as, psychology, psychiatry, sociology, the law, journalism, theology, and civil liberties. It also held 39 sessions with officials

or provincial ministries and agencies. And an additional eight interviews were conducted with individuals who felt they had something to contribute to the study, by virtue of their own interest and research.

Perhaps it is worth recording that distraught people frequently called the study to seek advice or help. Their questions included: Is a certain group a dangerous cult? Can you tell me how to contact a certain anti-cult organization? Will you get me a lawyer to help me get my daughter back? Where can I get information? To whom can I turn? Study personnel were constrained to offer no advice or assistance, but even these contacts with a concerned public served to shed some small light on the issues at hand.

Postal Paper Chase

Meanwhile, in addition to plumbing government files and conducting interviews, the study was engaged in a highly productive postal paper chase. In 1979, it sent 1,137 letters to a broad array of health care professionals, scholars, religious leaders, public officials, educators, civil libertarians and others requesting data, bibliographical material, comments, and advice.

Included in some of these requests were sets of questions considered to be within the special realm of competence and interest of those to whom they were addressed. To scholars, religious institutions, religious leaders, and civil libertarians, the study addressed the following questions:

1. To what extent, if at all, should the state attempt to regulate the practices of religious cults and sects in order to protect individuals and/or the general public?
2. If you feel state action is legitimate, can you identify any practices of religious sects or cults that warrant intervention where the state has not intervened to date?
3. What kind of action would be appropriate and how would you avoid or at least minimize the risk it might pose for freedom of religion?
4. Insofar as you foresee your proposal unavoidably conflicting with or infringing upon freedom of religion or other commonly accepted rights, how would you justify your position?

The results of this survey will be recorded elsewhere in this report, but it can be noted that 26 of 36 religious institutions and clergymen replied to this request. The following churches and religiously-affiliated organizations submitted views and made recommendations to the study:

Adath Israel Congregation
 Anglican Church of Canada
 Board of Congregational Life - The Presbyterian Church in Canada
 Christian Science Committee on Publication for Ontario
 Congregation Machzikei Hadas
 Fellowship of Evangelical Baptist Churches in Canada
 Greek Orthodox Archdiocese of North & South America
 Joint Community Relations Committee of Canadian Jewish Congress and B'nai B'rith
 Lutheran Church in America
 Ontario Conference of Catholic Bishops
 Ontario Conference of Mennonite Brethren Churches
 Ontario Conference of Seventh-Day Adventist Church
 Pentecostal Assemblies of Canada
 Religious Society of Friends (Quakers)
 St. Andrew's Presbyterian Church
 Salvation Army
 Shaarei Shomayim Congregation
 Social Concerns Committee of the Baptist Convention of Ontario and Quebec
 United Church of Canada
 Watchtower Bible and Tract Society, (Jehovah's Witnesses)

Another special set of questions was addressed to the nine Attorneys General in the other provinces and to 54 of their counterparts in the United States. This included the Attorneys General of 50 states and four territorial districts. The questions asked of these authorities were:

1. Has your Attorney General's Department undertaken at any point in the past a similar study to the one with which we are involved, and/or is it contemplating the possibility of such activity in the future?
2. Has legislation been enacted by your province (state) as a result of problems encountered locally, which were related to the general topic area of our study?
3. Has the Supreme Court of your province (state) handed down decisions regarding specific topics such as deprogramming, abduction and consumer protection as they might relate to the activities and practices of new religious groups and mind development groups?

A total of 56 replies were received. Nine came from Canadian Attorneys General and 47 from the U.S. But the few affirmative responses seemed of little relevance in Ontario.

In the meantime, the study's quest for information and opinion was bearing fruit in other quarters. Submissions were received from organizations, such as the Young Men's Christian Association, the Canadian Civil Liberties Association, the Ontario Psychological Association, the Council on Mind Abuse (COMA), the Canadians for the Preservation of Religious Liberties and others. Even many of the movements or their affiliates -- whether they had accepted the study's invitation to be interviewed or not -- submitted briefs or made presentations.

Table 4 SUMMARY OF REPLIES RECEIVED FROM ATTORNEYS GENERAL IN CANADA AND IN THE UNITED STATES				
Questions	Replies			
	Canada		United States	
	Yes	No	Yes	No
Q1	-	9	2	45
Q2	1*	8	-***	47
Q3	1**	8	1****	45

Notes: * Manitoba (Charities Endorsement Act)

 ** Quebec

 *** New Hampshire proposed statutes to regulate solicitation. New Jersey Legislation has recently enacted a new Criminal Justice Code, some sections of the Code may be relevant to the subject of the study.

 **** New Jersey, Malnak, et al. v. Yogi, et al,
 440 Fed. Supp. 1284 (D.J.S., 1900) involving a suit by various citizens to prevent the introduction into public school classrooms, a course of study of transcendental meditation.

 State v. Johnson, 67 N.J. Super 414 (App. Div. 1961) deals with the general subject matter of kidnapping and abduction.

They were:

Ananda Marga
 Brotherhood (Unfoldment)
 Council of Scientology Parishioners
 Divine Light Mission
 Foundation Faith of God
 International Society for Krishna Consciousness
 Institute of Applied Metaphysics (IAM)
 Mind Awareness
 Narconon (sponsored by the Church of Scientology)
 National Commission on Law Enforcement and Social
 Justice (sponsored by the Church of Scientology)
 People Searching Inside (Psi)
 Transcendental Meditation

More than 300 of the responses to the study's inquiries contained data, bibliographical material, newspaper clippings, opinions, and comments.

Assessment of Public Concern

Finally, it seemed desirable to assess as fully as possible the breadth and intensity of public concern on all sides of the issues. One useful indicator was the number and nature of unsolicited communications various provincial offices and the study had received on the issues from the public. Thus, material, provided by provincial ministries and agencies, members of the Provincial Parliament and members of Parliament from Ontario ridings, was examined as much for what it said about the extent of public concern as for any other purpose.

The study analyzed stories and articles on cults, sects, mind development groups, new religions and deprogramming from newspapers between January and June, 1979. The study also received a large number of press clippings from files of government departments, agencies and from the public. In addition, files of recent years were examined in libraries of

Table 5 SURVEY OF ORGANIZATIONS, GROUPS AND INDIVIDUALS
(INFORMATION SURVEY)

Organization, Group or Individual	Number Surveyed	Number of Replies
1. <u>Universities and Scholars</u>		
Schools of Theology and Seminaries in Ontario	10	4
Psychiatry, Sociology and Anthropology Departments in Ontario Universities	33	10
Canadian Scholars	21	11
Ontario Committee on Student Affairs	14	8
2. <u>Traditional Religions and Religious Leaders</u>		
Protestant	23	18
Catholic	1	1
Jewish	11	6
Greek Orthodox	1	1
3. <u>Governments</u>		
<u>Municipal</u>		
Municipal Councils	98	18
Municipal Police	22	22
<u>Provincial</u>		
Ontario Members of the Provincial Parliament	97	16
Ministries and Government Agencies	13	13
Ontario Crown Attorneys	51	32
Provincial Attorneys General	10	10
Ontario Provincial Police District & General Headquarters	17	17

Table 5 SURVEY OF ORGANIZATIONS, GROUPS AND INDIVIDUALS
(INFORMATION SURVEY)

Organization, Group or Individual	Number Surveyed	Number of Replies
<u>Governments (Continued)</u>		
<u>Federal</u>		
Federal Members of Parliament	88	32
Departments and Agencies	6	6
4. <u>Health Services</u>		
General Hospitals	63	26
Psychiatric Hospitals	13	8
Community Public Health Services in Toronto	23	9
Professional & Voluntary Health Associations	9	8
5. <u>Education Sector</u>		
Ontario Boards of Education	76	42
Ontario Separate Schools Boards	48	21
Professional and Trustee Associations	5	4
6. <u>Community and Social Service Agencies in Ontario</u>		
Children's Aid Societies	52	23
Community Service Agencies	87	28
Social Planning Councils	55	9
United Way Agencies	35	9
Family Service Agencies	33	9
Rape Crisis Centres	11	1
Professional Associations	2	2

Continued

Toronto's newspapers. Since mass media are believed to contribute in the determination of future subjects of public interest and reflect prevailing social values, an analysis of clippings was useful. It could not be taken on its own, as proof of public sentiment, but, read in conjunction with other evidence, it could contribute to such an understanding.

The 665 clippings used in the study's analyses were of news stories, feature articles and editorials. More than 90 per cent of these appeared in Ontario papers and related to Ontario experience. A large volume of clippings from U.S. papers was collected but was not used in the statistical analyses. The material was selected from a broad range of papers. More than half of them came from centres, such as Hamilton, Ottawa, London, and Toronto. Each clipping represented a separate item; there were no duplications in the material analysed.

Radio and television programs devoted to problems of new religions and mind development groups are another partial reflection of public concern and interest in this area. Although no systematic search of all television and radio programming files was attempted, the study collected and reviewed 33 tapes of Canadian television and radio programs aired during 1978 and 1979.

ANALYZING THE DATA

For the most part, the information gleaned through the study's various methods was descriptive or interpretative and did not lend itself to meaningful quantification. That material is the fabric of which succeeding sections of this report are made. But, some aspects of the research was analysed statistically and the results of such analyses are presented here.

ANALYSIS OF COMPLAINTS

Since the rationale for the study and the study's own choice of groups for examination were based substantially on complaints voiced about various movements, it seemed appropriate to deal with those complaints quantitatively as well as descriptively. In other words, the study wanted to know not only the kinds of complaints, but also details about the groups, the number of each type of complaint and the number of complaints coming from various sources. For these purposes, it was not relevant whether the complaints were justified. The purposes were to identify the groups that were the objects of public concern, indicate the origin of the concern and assess its intensity.

To meet this objective, the study undertook the collection of all retrievable complaints received by provincial ministries and agencies. In addition, police material, which described occurrences involving various movements or individual participants, was an important resource. Another major source

was the study's own interviews with former members of the groups, their families, clinicians, and others.

Although every effort was made to review all complaints on record with provincial offices, some technical obstacles and time constraints somewhat limited the study's access to certain records and sources of information. In many instances, information retrieval systems were not designed for the easy retrieval of the particular kinds of material being sought. To find all the necessary material would have required manual searches through entire filing systems. This was a great hindrance in the examination of the police material, particularly in the Metropolitan Toronto area, where full examination of all records would have required time and manpower resources far beyond what was practical and feasible. However, while there may have been information inaccessible to the study, it was felt that records and resource material reflected sufficiently the extent of public concern regarding activities of the movements and provided ample insights on other matters.

Study of Complaints

In its review of complaints, the study realized that individual complainants frequently had taken their cases to more than one authority. The fact that so many people had felt it necessary to scatter their complaints so widely was an important bit of information in itself. But, it was a complication during enumeration of complaints. Thus, the study took pains to ensure that it did not count any allegation

more than once.

By the time of selection, the study had identified 276 individual complainants who had made allegations, for the most part, during the past three years particularly during the past two or three years. Perhaps it should be stressed that this figure refers to parties lodging complaints and not the number of complaints they made. Many made far more than a single allegation. The chief target of these charges was a Toronto-based mind development group against which 49 individuals had complained and 98 municipal councils had passed condemnatory resolutions. Among the other major subjects of complaints were a group that had splintered from the Jesus Movement in the U.S., which had 31 complainants attacking it. As well, two international religious movements had 17 and 18 complainants assailing them.

It should be noted that the infrequency of written complaints about the remaining groups did not necessarily reflect the gravity of those complaints.

The results of an analysis of the sources from which complaints came are outlined in Table 6.

Not surprisingly, the major source of complaints came from people whose lives were touched most directly by the various movements, such as, former members and families of both former and active members. What did these and others complain about? Table 7 sets out the results of an analysis of the complaints. It should be remembered that the number of complaints

Table 6

SOURCES OF COMPLAINTS ABOUT THE GROUPS
EXAMINED IN THE STUDY

Source of Complaint	Number of Complaints
1. Ex-members of various movements	41
2. Families of members and ex-members	49
3. Public	49
4. Organizations, business and governments	18
5. Municipal councils	98*
6. Police	21
TOTAL	276

*This figure represents the resolutions passed by municipal councils as the result of a campaign initiated by one council against a Toronto mind development group.

Table 7 FREQUENCY OF VARIOUS CLASSES OF COMPLAINT	
Type of Complaint	Number of Complaints
1. Mental problems - hypnosis, breakdowns, mind control, brainwashing, etc.	166*
2. Consumer solicitation, misrepresentation	159*
3. Criminal	
abduction, kidnapping, forcible confinement or related offences	8
fraud and other criminal misrepresentation	7
bylaw infraction, impeding or causing disturbance, etc.	20
4. Alienation of member from family	31
5. Municipal-impeding bylaws	19
6. Other ^{xx}	2
TOTAL	412

* Includes 98 municipal resolutions

xx Includes:

- 1) Complaint regarding new religion harassing employee working in its candle factory and urging him to convert.
- 2) Parent angry about child custody case.

listed far exceeds the number of complainants since many reports contained more than one major allegation.

If the 98 municipal council resolutions are discounted, it would seem that the largest body of complaints against the movements related to the effect they allegedly had on mental capacities of the members. Many groups were accused repeatedly of hypnotizing members, effecting conversions through brainwashing, taking control of adherents' minds and causing mental health problems that sometimes resulted in breakdowns. The second largest category of complaints covered a broad array of alleged violations of consumers' rights. It was also alleged that many groups engaged in the misleading solicitation of funds, misrepresented the benefits of membership, or failed to observe contractual obligations. Often such allegations were expressed as complaints of criminal activity by some groups. Claims that various movements purposely alienated members from their families were less frequent but still fairly common.

ANALYSIS OF LETTERS

While an analysis of complaints was valuable for various purposes, the study discovered in files of provincial offices additional correspondence, which went beyond specific complaints into the realm of public comment, recommendation and more generalized expression of concern. In addition, the study found there was considerable material favourable to cults, sects, mind development groups, and new religions,

individually and collectively. Frequently this was submitted by the groups themselves. This also was the case with material made available by members of the provincial Legislature and members of Parliament from Ontario ridings.

Again, the job of retrieval was complicated because filing systems usually were not geared to meet the special needs of the study. However, it was felt that the volume of material provided some profound insights into public attitudes on pertinent issues.

As noted earlier, an examination of the correspondence revealed that most who wrote to one authority also sent copies of their letters, in some instances as many as 15 letters to other ministries and government officials. Since these were copies of an original rather than a number of individual letters, it was decided to count persons writing rather than letters. A roster of names and addresses with basic letter information was prepared and each piece of correspondence was checked to avoid double counting. Although about 1550 letters were processed, only 559 original letters were selected for the statistical analysis. Letters were grouped into three main categories:

- . Those expressing views on cults, sects, mind development groups and new religions;
- . Those arguing for or against government involvement or intervention in this field;
- . Those commenting on the need or usefulness of a study or inquiry into the subject.

Table 8

SUMMARY ANALYSIS OF LETTERS TO
PROVINCIAL OFFICIALS AND AGENCIES,
MEMBERS OF PROVINCIAL PARLIAMENT
AND MEMBERS OF PARLIAMENT

Type of Letter	No. of Individuals Writing
1. Letters expressing positive attitudes towards cults, sects, mind development groups, new religions	210
From participants in a mind development group's letter writing campaign	196
From members of movements	14
2. Letters expressing negative attitude towards movements	70
3. Letters dealing with government involvement or expressing views on government study or inquiry	279
(A) Letters expressing views on government involvement*	
Letters against government involvement	183
Letters in favour of government involvement	82
Letters about Psychologists Act	14
(B) Letters expressing views on government study or inquiry*	
Letters in favour of government study or inquiry	74
Letters against government study or inquiry	139
Total number of correspondents	559
Total number of copies examined	1550

*Item A & B overlap because a number of correspondents discussed government involvement as well as expressed views on the study.

Table 9		SOURCE OF LETTERS	
Source of Letters		Number of Correspondents	
Members of Movements		410	
Psi		331	
Scientology		69	
Other		10	
Ex-members or their families		48	
*Concerned individuals (Reasons for interest not stated)		101	
TOTAL		559	

*The last category of "concerned individuals", is made up partly of sympathetic sideliners whose involvement is not direct and therefore less emotional. These individuals were mainly interested in discussing basic civil liberties issues, arguing the role and functions of government and representing a whole spectrum of viewpoints or opinions.

All letters expressing positive attitudes towards religious cults and mind development groups were written by members of these groups. This category included letters from almost 200 members of a Toronto mind development group who wrote to government officials in an attempt to change the negative image they felt their organization had among these ranks.

Almost thirteen per cent of all correspondents were critical of the groups and expressed a negative attitude towards them. Most letters in this category were written by ex-members or families of former or active members.

Fifty per cent of all the mail to government officials dealt with pros and cons of government involvement and the role government should play, if any, in regulating activities of such movements.

To put the positions expressed in these letters in some perspective, it may be useful to know the backgrounds of individuals writing to the government officials.

With letters from 410 active members of movements the study had a substantial body of correspondence from which to achieve a strong indication of the benefits members felt they reaped from their movements. Table 10 analyses letters that provided information in this regard.

Table 10 LETTERS LISTING POSITIVE FEATURES OF MEMBERSHIP/ PARTICIPATION IN MOVEMENTS AS EXPRESSED BY 102 CORRESPONDENTS		
Most Often Mentioned Positive Features*	No. of Times Mentioned	%
1. more positive attitude to life	67	42.7
2. more wonderful experience	32	20.4
3. controlled addictions	16	10.2
4. gained maturity and stability	13	8.3
5. improved communications with others	9	5.7
6. improved health	8	5.1
7. spiritual growth	7	4.5
8. belongingness, security	3	1.9
9. improved memory and creativity	2	1.2
TOTAL	157	100%

*More than one positive feature may have been mentioned in a letter.

It should be noted that this analysis is not presented as anything approaching a scientifically constructed picture of how members of the groups as a whole characterize their benefits. For one thing, the sample of opinion used was far too heavily weighted in favour of one or two groups. Still, it must be said that the benefits declared by correspondents often were similar to those laid claim by members of many other

movements with whom the study spoke.

Former group members and families of members were very critical of the movements' activities and considered the influence of cults as harmful and exploitive. Table 11 summarizes negative aspects of group membership as reflected in correspondence from those who had a direct experience or close contact with various movements.

Table 11 LETTERS LISTING NEGATIVE FEATURES OF MEMBERSHIP/ PARTICIPATION IN MOVEMENTS AS EXPRESSED BY 28 CORRESPONDENTS*	
Most Often Mentioned Negative Features**	No. of Times Mentioned
1. financial "rip-off"	15
2. mental breakdown	14
3. reclusivity-alienation	11
4. mind control	10
5. hypnosis	4
6. physical coercion	4
7. interference with school or work	4
8. emotional blackmail-coercion	1
TOTAL	63

* People listing negative features included 16 ex-members or relatives, 12 concerned individuals.

** More than one negative feature may have been listed in a letter.

Table 13 ARGUMENTS AGAINST GOVERNMENT INTERVENTION OR INVOLVEMENT		
Arguments Against Government Involvement	No. of Times Mentioned	%
1. threatens freedom of religious belief	151	59.2
2. government controlling thoughts and beliefs - totalitarian tendencies	51	20.0
3. unwarranted expansion of government power	21	8.2
4. threatens civil rights	20	7.8
5. witchhunt	7	2.7
6. undue protection to licensed professions	5	2.0
TOTAL	255	100%

Total percentage of individuals arguing against government involvement may not add to 100 due to rounding. The vast majority of letters arguing against government involvement (94 per cent) were written by group members.

PRESS ANALYSIS

The study's survey of newspaper writing about the movements and deprogramming was a useful supplement to other material, which helped the study construct a picture of anxieties and attitudes in the community.

A group member was most frequently described in newspaper writing as a middle-class, Anglo-Saxon young man or woman likely with some college education. The new religions -- often referred to as cults or sects -- seemed to dominate press attention. More than 65 per cent of the 665 articles reviewed involved such movements. By contrast, less than 10 per cent dealt with mind development groups, and most of this attention was focused on one such movement based in Toronto. Deprogramming was the central topic in 25 articles, and received far less coverage than it had in the U.S. press.

For the purpose of quantitative analysis, all clippings under review -- 621 from Ontario newspapers, the rest from elsewhere in Canada -- were divided into three broad categories:

- . Those expressing positive attitudes toward the movements;
- . Those that were critical of the groups or negative in tone;
- . Those of a descriptive nature that expressed no particular viewpoint. These included straight news stories and articles that discussed the role of government in this field.

The attitudes toward cults, sects, mind development groups and new religions, as reflected in newspaper clippings, are summarized statistically in Table 14.

Table 14 ATTITUDES TOWARD CULTS, SECTS, MIND DEVELOPMENT GROUPS AND NEW RELIGIONS AS REFLECTED IN THE PRESS		
Attitudes	No. of Clippings	%
<u>Positive</u>	26	3.9
articles	19	
editorials	7	
<u>Negative</u>	328	49.3
articles	298	
editorials	30	
<u>Neutral</u> (no views expressed)	298	44.8
Letters to the editor	13	2.0
TOTAL	665	100.0

Almost half of the clippings were critical and expressed negative attitudes towards the movements. Only four per cent of the clippings gave these groups sympathetic treatment and expressed positive views on their activities and role in our society. An overwhelming majority of editorial articles were negative about these groups. About 300 clippings, 45 per cent of the total, were news reports of a descriptive and non-judgmental character.

The government's role and involvement were discussed in 69 press clippings. Forty nine said governments had a legitimate role in regulating activities of what they called cults, sects or mind development groups. Only 20 clippings were in favour of less or no government involvement.

Movements in articles negative in tone generally were characterized as exploitive groups that inflicted some form of harm on their members. Specific allegations -- whether made in the name of a former member, the newspaper itself or someone else -- were outlined in 188 of these stories -- almost one-third of the total sampling. Such references recurred 377 times in these clippings. The most commonly-made allegations and the frequency with which they occurred are indicated in Table 15.

It would seem from this analysis that the newspapers used most frequently allegations involving the effects on freedom of thought and action on group members. Mind control, hypnosis, emotional coercion -- all modes of expression that imply limitations on members' freedom -- together accounted for almost 29 per cent of the accusations in newspaper clippings. Complaints concerning mental and physical health concerns formed the next largest grouping with more than 23 per cent of the total. And allegations that various groups engaged in questionable, often fraudulent financial dealings, accounted for more than 19 per cent of the total and made up the third largest grouping.

Table 15 FREQUENCY OF ALLEGATIONS AGAINST VARIOUS CULTS,
SECTS, MIND DEVELOPMENT GROUPS AND NEW RELIGIONS
IN 188 NEWSPAPER ARTICLES

Negative Features of Membership	As seen by		Total	
	Ex-cult Members/ Participants*	Public and Press*	No.*	%
1. mind control	41	41	82	21.8
2. financial rip- off	35	38	73	19.4
3. mental breakdown	25	41	66	17.5
4. reclusivity- alienation	44	12	56	14.9
5. physical coercion	30	5	35	9.3
6. health hazards of faith healing	16	6	22	5.8
7. interference with family life, work or school	12	5	17	4.5
8. hypnosis	4	9	13	3.4
9. emotional coercion	8	5	13	3.4
TOTAL	215	162	377	100

*These figures refer to the number of times any negative feature was listed and not to the number of press clippings used.

While negative reporting and comment on the groups is seen prominently in newspapers, there is also some positive coverage of group involvement that deserves attention. A small minority -- less than four per cent -- of all the clippings were classified as supportive and sympathetic to activities of groups. But it should be noted that at least a small number of critical articles also acknowledged some positive aspects of group membership.

Table 16 illustrates that 61 articles or about nine per cent of the clippings mentioned benefits derived from the involvement with religious cults and mind development groups. It is interesting that members say a more positive attitude toward life, better communications with others and improved memory and health -- all positive acquisitions -- top the list of benefits derived from cult involvement. However, in the eyes of the general public, belongingness and security receive top rating. This suggests that outsiders often believe the groups as being an emotional and psychological crutch.

To compare in quantitative terms, for each time a positive feature of group involvement is mentioned in the clippings, there are four times as many negative aspects of membership listed.

Nevertheless, 69 clippings (about 10 per cent of the clippings) dealt with the controversial questions of governmental or societal responses to the so-called cult phenomenon and possible conflicts between basic civil liberties and

Table 16 BENEFITS DERIVED FROM MEMBERSHIP IN SOME MOVEMENTS AS REPORTED IN 61 ARTICLES			
Benefit	As seen by		Number of Times Benefit Mentioned*
	Members and Participants*	Public in General and Press*	
1. belongingness- security	5	34	39
2. more positive attitude towards life - improved communications	10	2	12
3. improved memory and creativity	10	2	12
4. control of addictions and pain	8	1	9
5. improved health, better sleep	8	1	9
6. most wonderful experience in life	6	-	6
7. gain maturity, stability	2	4	6
8. spiritual growth	5	-	5
TOTAL	54	44	98

*These figures refer to the number of times a particular benefit was listed and not to the number of articles.

increasing pressures for the government's more active involvement. Forty nine clippings were in favour of better supervision of the activities of cults, sects, mind development groups, and new religions on the grounds that overriding public interest may require some government involvement. Table 17 summarizes the forms of government involvement or intervention most often urged.

In view of the prominence that newspaper clippings had given to allegations that the groups practised mind control and fostered health problems, one might have expected that calls for the restriction of certain practices to professionals would have formed the largest category in this analysis. However, insofar as possible government action is concerned, the greatest emphasis was placed on proposals for greater consumer protection. Professionalization placed a distant second, slightly ahead of public education and information.

A relatively small group of comments in the clippings advocated no government intervention or involvement. Their arguments are presented in Table 18.

While expressed in different ways, virtually all of the reasons given for opposing government intervention in this field were based on civil libertarian considerations, matters of rights and freedoms. Even the suggestion that government action would unduly restrict certain practices to professionals could be construed in this way.

Table 17 AREAS OF GOVERNMENT INTERVENTION AS URGED IN 49 ARTICLES					
	Presented by:				Total*
	Members of Groups	Public	Press & Professional Organizations	Established Religions	
1. extend consumer protection	-	26	15	1	42
2. restrict certain practices to professionals	-	6	8	-	14
3. improve public education and information	2	9	2	-	13
4. review of legislative needs	-	2	1	-	3
5. safeguard individual freedom	-	-	-	1	1
TOTAL	2	43	26	2	73

*Figures indicate the number of times particular action was called for in the press.

Table 18 ARGUMENTS AGAINST GOVERNMENT INTERVENTION OR INVOLVEMENT AS EXPRESSED IN 20 NEWSPAPER ARTICLES					
Argument Against Government Action	Presented by:				Total*
	Members of Groups	Public	Established Religions	Profit & Voluntary Organizations	
1. threatens freedom of religion, belief	3	7	5	3	18
2. would be a witch hunt	-	1	1	2	4
3. threatens civil rights	-	6	1	-	7
4. would be unwarranted expansion of government power	-	2	-	1	3
5. government would be controlling thought, beliefs - totalitarian	-	3	-	-	3
6. would constitute undue protection of licensed professionals	-	1	-	2	3
TOTAL	3	20	7	8	38

*Figures refer to the number of times particular argument was presented.

Thus, the conclusions, findings and recommendations of this study are based on 253 personal interviews, the analyses of 559 individual letters written by the public to government, a study-initiated letter survey of 516 organizations and individuals, 665 press clippings, an extensive search of Ontario government and police files, consultation with numerous experts, and a review of relevant literature.

CHAPTER 2

HISTORICAL PERSPECTIVE

The image of the seeker of "truth," scaling mountains to consult an omniscient hermit, recurs frequently in literature on cults, sects, mind development groups, and new religions. Among today's critics of such movements, the image is used facetiously to mock the seeker and his "guru."

Among defenders of the movements, it is employed to symbolize the profundity of the quest and the earnestness of the one who undertakes it.

Removed from such partisan contexts, though, the image still is an apt metaphor for man's relentless quest for security -- the knowledge that will insulate him once and for all against anxiety. It is the "holy grail" he has sought as avidly throughout history as wealth or power.

To the religious seeker, the goal may be characterized as God-consciousness, spiritual fulfillment, or realization of the meaning of life. To the secular seeker, it may be relaxation, better health, self-awareness, peace of mind, or personal effectiveness. The words describing the goal vary, (and the foregoing by no means exhaust the list) but they all imply certainty -- a condition mankind always has sought, especially in troubled times

Whenever some form of turmoil has occurred in

human history, man has sought to affirm his own worth, and to ensure his entitlement to a place, either in a better society or in an ultimate state of existence transcending all care and suffering. In every troubled era, he has turned to a broad array of religious, social, even political movements -- many of them mystical in nature -- that offered spiritual renewal, self-regeneration, and hope.

Today, as the study discovered in its interviews, the quest continues unabated, perhaps even more fervently than ever. It clearly was that kind of longing, for example, that attracted a middle-aged Toronto businesswoman to a group proposing meditation as the avenue to a just and peaceful world. "The world was really going downhill," she told the study. "Somehow I wanted to get involved... something in me was searching. (The group) appealed to something idealistic in me. It was something that was good."

Expressing a similar yearning for order and purpose, a young Kitchener, Ontario resident explained his attraction to a mystical movement with roots in India. "It offered me a scientific technique to develop my mind and reach an understanding of what the universe is all about," he said. "I wanted answers. Why am I here? What's my purpose in life? Instead of the dogma of religion...it's a technique to understand yourself and, through that, everything else."

In another variation on the same theme, a Toronto

entertainer in her mid-30s, a member of an international religious group, told the study: "I got into (the movement) as a result of my own search for answers, some reason for the insanity around me. I was about 17 or 18, with a good job, but I wasn't happy. I wasn't in charge of my life."

Describing where such urges led an earlier society, historian Gilbert Murray wrote: "Man's sense of failure and loss threw him back upon his own soul, upon the pursuit of personal holiness, upon mysteries and revelations." Murray was writing about Greek society's report on mystery cults in the wake of the Peloponnesian War, yet he could just as well have been describing this or countless other turbulent eras in human history.

For example, as the Roman Empire disintegrated, zealotry flared among Christians seeking salvation while others turned to paganism with equal fervour. Throughout the tumultuous Middle Ages, apocalyptic millenarian groups, led by self-ordained prophets and messiahs, abounded in Western Europe. In pre-revolutionary Russia, shamans and mystics, the most notable of whom was Rasputin, were courted by nobility. In Germany, during the soul-shattering 1930s, neo-paganism and mysticism flourished until all gave way to the ultimate mystique of Nazism.

Meanwhile, North America was far from immune to the phenomenon. Traumas, attendant upon national growth and conflict, have fostered religious and other forms of

spiritual innovation to an extent none of the founding fathers ever could have envisaged.

As often as not, movements in which people sought solace and salvation were countercultural, tangential, or totally foreign to societies in which they emerged, and were scorned by church, state, and polity as dangerous aberrations. To those societies, they were cults as today's Webster's dictionary defines the word -- that is, religions "regarded as unorthodox or even spurious." Frequently, they were accused of practices that ranged from profaning the prevailing orthodoxies to debauchery, black magic, even sedition and treason. And they were treated as objects of loathing and fear. Whether because of their own lack of abiding substance or the weight of opposition they encountered, such movements often ran a short course and faded. In some cases, however, spiritual stirrings within a troubled society burgeoned into mass spiritual awakenings -- indeed, social and religious reformations -- and certain of the "cults" of the times took root. Human history is replete with "heresies" that became orthodoxies, "false messiahs" who became prophets, and "cults" that became traditional religions, political movements, or respectable social experiments.

The archetype of this phenomenon was, of course, Christianity. To the emperors of Rome, it was, at best, a peculiar sectarian outcropping of Judaism and, at worst, a cultic aberration to be scourged. Islam was held in similar contempt by adherents of the Meccan sects it ultimately

displaced. For that matter, Judaism, the foundation of Western religious tradition, was once a new religion, which attracted the hostility of Selucid rulers of the Middle East.

The millenarian groups of the 13th and 14th centuries, whose members roamed Europe dressed in rags as they sang and danced in ecstasies provoked by charismatic leaders, were treated as dangerous to the established order. Free Masons, partly because of the secrecy surrounding their rituals and membership, were banned as subversive cultists in some Catholic countries and were accused by the Bourbon kings of post-Napoleonic France of fomenting the Revolution. The anti-Masonic bias was imported to the New World as well. In the 1830s, Pennsylvania tried to disfranchise Masons, and an anti-Masonic faction came near success in New York State elections.

North American history abounds with instances of groups that, despite their divergence from and antipathy towards established religious and social institutions, survived suspicion and persecution to become established. In 17th-century New England, Quakers were hanged, flogged, deported, maimed, and sold into bondage by Puritans. Mormons, whose leaders were accused of mentally enslaving women in order to practise polygamy, were relentlessly attacked. Their founder, Joseph Smith, was eventually arrested and lynched. Even established creeds were not above suspicion of harboring cultic factions. Members of an Ursuline convent in Boston, Massachusetts,

were accused of practising infanticide and promiscuity behind convent walls. The convent was attacked and burned in 1869.

In Canada, "radical" religion was also unwelcome. Even the uniformed Salvation Army "soldiers", battling for souls in the streets, raised the ire of a more religiously traditional populace. Colonel Jack Addie, a Salvation Army commander at an outpost near Dundas, Ontario, recorded this experience in 1883: "Accompanied by two Soldiers, I rode over with a horse and rig. A howling mob received us and threatened to tar and feather the Captain. Missiles were thrown after us."

And Mary Morgan Dean, a Toronto writer in the early 1890s, reported: "To this new movement were applied such terms as 'travelling tinkers', 'travesty of religion', 'fanaticism', and many other epithets...When the little group of queerly attired young people stood in St. George's Square (in Guelph, Ontario) and began to sing...there was a huge, excited crowd...Many comments, not complimentary, were passed..." And, again, in London, Ontario, municipal authorities once tried to restrict Salvation Army efforts by prohibiting public demonstrations; army leaders were arrested and fined.

The harassment of Jehovah's Witnesses in Quebec is fairly well-known, particularly when the sect was pitted against the legislative might of the Union Nationale government of Maurice Duplessis. One of the more notorious

governmental assaults on the group came to be known as the Saumur case of 1953. In that instance, the sect won an initial skirmish when the Supreme Court of Canada upheld its challenge against a Quebec City bylaw, requiring police permission before they were permitted to distribute literature.

Pessimism is the prevailing mood of today. Unquestionably, it is the dominant characteristic of many people as they view the future. Environmental developments confront us with a terrifying array of apocalyptic scenarios; economic crises deepen; warnings of depression and mass unemployment abound; shortages of traditional energy supplies threaten to leave us shivering in the dark if not radioactively aglow; and urban violence unhinges nations with long traditions of civility. Crisis appears to evolve upon crisis.

To the individual, traumas of society as a whole are experienced, at best, as a general feeling of powerlessness or discontent with contemporary values. Many experience them more palpably as a strong sense of loneliness and alienation, mental or physical illness, the breakdown of family and other relationships, insecure employment, and financial instability. If they are young, the future is threatened by all such traumas.

Traditionally, people in crisis have turned for direction to established institutions of control. They include

religious, educational, governmental, social or scientific institutions. Currently, however, the liberalized church, synagogue, and school seem to many to be too morally flexible, perhaps even flaccid, and their doctrines and directives too unclear. They leave many individuals with little assistance in facing what futurist Alvin Toffler has called "over-choice". Governments, in their view, seem unable to explain, let alone cope with, proliferating problems and appear to be incompetent, if not callous or even corrupt. The extended family, the neighbourhood, and the community are dissolved by effects of urbanization and mobility, and no longer offer individuals a haven or help when nuclear family ties begin to fray. They feel that the scientific establishment, for its part, cannot be relied upon for clear direction and, indeed, is often seen as promoting dehumanization and ecological disaster.

Thus, we see signs in our own society of the kind of spiritual yearning -- of the certainty-seeking that seems historically to flow from social turmoil. Many people, feeling alienated from and even betrayed by traditional institutions, seek solace, strength, and salvation in unorthodox quarters.

Given the intensity of their quest, one can understand why many are attracted by figures such as the meditation movement founder who promises: "Now a few people in any country will be able to change the destiny of their nation for all good...to design the direction of time for all happiness, progress, and fulfillment everywhere...by

devoting only 15 minutes of their time twice a day." Those whose self-confidence has been undermined might be drawn by a mind development group offering to teach how to "tap into the greatest resource you have -- the infinite power of your own mind" in order to achieve health, wealth, love, and perfect self-expression.

Nor is it surprising, when seen in an historical light, that current movements, characterized correctly or incorrectly as cults, have been the objects of substantial public hostility in many parts of the world. The Church of Scientology, for example, was barred in 1968 from bringing foreign nationals to Britain as students of its movement. And the practice of Scientology was banned in two Australian states in 1969. (Both the British and Australian measures were subsequently withdrawn.) Pennsylvania and New York State legislators have attempted, thus far unsuccessfully, to pass legislation, which would make felonies of coercive practices such as hypnosis, brainwashing, deceptive fund-raising or recruiting, allegedly used by some groups. To counteract the influence of what they deem to be cults, deprogrammers have emerged in Canada and elsewhere, offering to break the hold they claim the groups have on members. At the same time, anti-cult citizen groups, populated largely by ex-group members and parents of members, have proliferated. One of the newest has started in Ontario and is called the Council on Mind Abuse (COMA). The media, which have devoted countless column inches and broadcast hours to the groups, have focussed in

Ontario on groups such as Scientology, Psi Mind Development Inc., the Unification Church, Hare Krishna and the Maharishi International Academy. A major Ontario school board has stopped using parkland facilities and services provided by one group. Volunteer workers from another have been rejected by Metropolitan Toronto social service agencies, which fear worker proselytizing efforts, based on the experience of some of their sister agencies.

What we are witnessing today has many surface characteristics of past periods of social torment from which emerged religious and other movements. Though initially condemned, they have come to be respected or, at least, tolerated. But does that historical perspective suggest that we can remain sanguine about the new movements of our own time and allegations made about deleterious effects on individuals, families, and society as a whole? Hardly. History certainly does not counsel a lack of vigilance. The past has involved too many Hitlers, Stalins, and Rasputins to allow us to ignore the possibility of dangerous self-seekers, posing as prophets or messiahs for the sake of self-aggrandisement, power, or profit.

We can analogize from the past, but analogies are seldom, if ever, applicable without qualification. While societies in different ages are substantially similar in many respects, they also differ substantially. In many ways, ours is a global society in which mass movements of an unprecedented scale are made possible by communications and transportation technology, which only a few decades ago

was widely considered as science fiction. Ours is a post-industrial, highly-urbanized society, affected by disruptive social and technological factors no previous society has ever encountered. Today we know more than ever before about the vulnerability of the human mind and how to exploit it. Yet we are also more profoundly aware of how little we know about protecting the psyche. Never before has a society been wracked by so much change of so great a magnitude over so short a time.

There is, however, utility in historical perspective. It is the moderator. It forces upon anyone, who presumes to examine the current phenomenon, the onus of rationality, tolerance, and objectivity. It makes him particularly sensitive to admonitions, as issued by Theodore Roszak, a noted United States historian:

"We meet in a time of religious awakening. Yet I think we have as much reason to fear for the future of religion in this moment of rebirth as to celebrate its prospects...between the eager spiritual explorers of the day, and the stern secular humanism that dominates our intellectual and academic mainstream, we may yet see the life of the spirit ground to dust."

CHAPTER 3

DEFINITIONS AND ORIGINS

In the terse language of the mass media, where a term often is chosen as much for economy as precision, cult is shorthand for almost any group exhibiting extraordinary devotion, whether to Bogart films or Krishna-consciousness. The implication is generally pejorative, suggesting a kind of extremism. Anyone seeking to understand what popular journalism calls the "cult phenomenon," will find that media language can be more inhibiting than enlightening. While the groups under study have many significant common characteristics, they are not monolithic in character. Nor, in fact, can all legitimately be called cults.

Many groups commonly referred to as cults are sects -- that is, schismatic, reformist elements that emerge from within established religious traditions. Sects classically form when standardized rituals and elaborate bureaucracies of traditional religions fail to respond to the spiritual needs of significant numbers of their members. Dissidents organize reformist factions which frequently have been revivalist or evangelical in nature and dedicated to returning religion to its roots. Such factions often have broken from their parent religions to become totally independent denominations, but these sects are rooted in religious streams, traditional within their societies.

By contrast, the cult is external to the religious and cultural traditions of the society in which it emerges, often even inimical to many of them. Cult doctrines and

practices arise from a special revelation enunciated by a self-perpetuating, charismatic leadership, which professes to be the promulgator of a new or alternative reality. A cult may be religious in the commonly accepted sense -- some examined in this study claimed not to be -- but virtually all are "spiritually-oriented" and mystical in nature. While "sect" and "cult" are not synonymous, a sect may evolve into a cult or exhibit cultic characteristics.

At the same time it is not uncommon for groups, dealing in what they profess to be "mind-awareness", to be described, often incorrectly, as cults. Mind development groups may, as cults do, employ techniques such as meditation or deal in the mystical or even occult. Indeed, a mind development group may be a cult. But a group devoted to developing what it considers to be the dormant potential of the mind -- such as extrasensory perception or psychic powers -- is not necessarily a cult.

New Religions and Cults

Given the pejorative connotations of the term "cult" and the imprecision with which it often is used, scholars studying religious innovations have sought neutral terminology to identify the groups they examine. Hence, many have adopted the term "new religion". However, this term also is subject to abuse and misuse. Groups engaged in unacceptable practices can hide behind it and accuse critics of indulging in religious persecution. And some

groups, whether cultic or not, are not new but have ancient traditions, familiar and comforting to immigrants from lands in which the traditions are native. Even so, the term "new religion" is perhaps a useful one, so long as its limitations are respected. They are generally thought of as being organizations that came into existence after the Second World War; they are located, for the most part, in Europe and North America.

A definition indicates complexities hidden by the blanket use of the term "cult" when referring to the many, varied groups now operating. Definitions help to eliminate bias that can be brought to discussions when inappropriate, emotion-tinged, value-laden terminology is used. Most importantly, definitions clarify the fact that there is nothing intrinsically intolerable about cults, sects, and mind development groups or new religions. For example, a group may appropriately be called a cult, but that does not mean it necessarily engages in deceptive recruiting, fund-raising under false pretences, purposeful destruction of family ties or the other unconscionable acts that have been alleged. A group's system of belief and practice may be disdained, despised, even feared by the majority, but popularity is not an acceptable criterion of legitimacy.

Definitions are the essential starting point of objective inquiry. Many questions remain. Where and when did the efflorescence of contemporary cults, sects, mind

development groups and new religions begin? To what currents and strains in society are they responding? Who are the leaders and who are the disciples, what do they do and what, if anything, is there to fear from them?

ORIGINS

One of the recurring symbols of the current phenomenon, whether in learned journals or popular media, is of shaven-headed Hare Krishna devotees dressed in saffron robes, dancing and chanting ecstatically on street corners. Alternatively, the habit-clad followers of the Apostles of Infinite Love, the short-haired business-like attire of the Unification Church members or dagger-bearing, turbaned adherents of the Healthy, Happy, Holy Organization (3HO) are also symbols commonly linked to these groups. Whatever image is chosen, the purpose often is to imply that the groups are alien to our culture or at least out of line with the prevailing intellectual and spiritual rhythms of the day. In an important sense, the intention of using such imagery is legitimate. As discussed earlier, the groups are major divergences from or alien to mainstream beliefs. Paradoxically, even the most bizarre of the groups are, in a sense, logical outgrowths of the manner in which North America responded to social, political, and cultural strains of the 1950s and 1960s.

Even the relatively young will have heard of McCarthyism, the Korean War, the space race, the educational

dilemma, the Cuban missile crisis, racial conflict, campus unrest and the Vietnam War, assassinations, urban violence and political terrorism. Many of these phenomena originated in the United States and only latterly were felt in Canada. But they were felt and felt deeply. And we augmented with our native-grown traumas such as unemployment among young people, environmental and energy issues, a faltering economy, and racism.

It was and continues to be a manic-depressive era. States of hope and despair follow hard upon one another. Politicians elected on dovish platforms turn hawkish once in office; non-violent movements become violent in their frustration; bi-racial coalitions break up as minorities turn militant. The social, political, and cultural ground shifts quickly and often.

In this atmosphere, people grope, often frantically, for ways to regain their equilibrium. For those who rejected the values, conventions, and institutions of society, the answers were countercultural. Consequently, insofar as the dominant society was secular, Western, and rationalist, the paths of these seekers were generally spiritual, Eastern, and anti-rationalist.

Not that the paths were identical. Indeed the seekers were a highly diverse lot. Most were young, and, seeking security in something that came to be known as transcendence. Definitions of transcendence abound. It is a direct, personal relationship with God or the Life Force,

a state of unity with the Source in which the secret of life is revealed. This state goes beyond temporal awareness, merging individual consciousness with cosmic consciousness. It is a condition in which one's mind soars beyond individual thoughts to the source of thought itself. Always, it is a state of peace that one often finds within himself, independent of whether society is at peace. One does not adjust to society, one transcends it.

Drugs and Spirituality

The vehicles by which people initially sought to take this ride into the mystical state of transcendence were many. But one of the most widely used was drugs. The link between drugs and spirituality was not forged only in the 1960s. Drugs had long been part of the religious paraphernalia of early cultures and had their ritual uses in ancient civilizations. In North American arts and letters, mystical imagery born out of drug-induced experiences was not uncommon. In the 1950s, beatniks, whose advent coincided with the Korean War and talk of nuclear devastation, pressed on the U.S. awareness the concept of escape from earthly anguish through drugs and Zen. But in 1966, when Harvard University psychologist Dr. Timothy Leary publicly promoted LSD as the key to "limitless new dimensions of awareness and knowledge", the equation between transcendence and drugs was firmly established for masses of young people. And the spiritual tone of much of this drug culture was so pronounced that a 1971 report by the federal Royal Commission on the Non-Medical Use of Drugs commented on the high level

of religious interest among drug users. Turn On, Tune In and Drop Out became the motto of these young people as they heeded Leary's assertion that "you have to go out of your mind to use your head...to become acquainted with new areas of consciousness."

For many, the drug culture was just a way station en route to new religions, cults, or mind development groups in which transcendence could be achieved without chemical aids. They eventually discovered that mystical experiences could be invoked as well by meditation, chanting, yoga, dancing, and other practices, generally associated with Eastern religions and, to some extent, more mystical forms of Christianity and Judaism. Consequently, in 1966, the same year Leary and his disciples started their LSD crusade, A.C. Bhaktivedanta Swami Prabhupada won his earliest converts to the International Society for Krishna Consciousness (Hare Krishna). The following year the first Hare Krishna temple in the U.S. opened, not coincidentally, in the capital of the drug culture, the Haight-Ashbury section of San Francisco. As well, Maharishi Mahesh Yogi, whose Transcendental Meditation had failed to attract any significant numbers since its North American debut in 1958, began picking up adherents in the late 1960s. The most noteworthy of his followers at the time were the Beatles, the British rock group, whose much-publicized adoration of the guru is said to have been an important impetus for the movement by drawing large numbers of rock fans to it. Yoga centres and Zen monasteries were established, and a

stream of swamis and spiritual masters from the East visited North America for the first time. U.S. and Canadian innovators took advantage of the temper of the times. The Church of Scientology, a group that assimilated elements of Eastern mysticism since its origins in the 1950s, began expanding, riding this wave of spirituality.

Religious Revival

In their quest for security, many others turned to one of the more traditional sources of spiritual comfort in troubled times -- churches and synagogues. Ironically, while spirituality was becoming an increasingly pronounced phenomenon among the young, many of the traditional Christian denominations were taking a decidedly secular turn in an effort to combat dwindling church attendance. Facing more and more empty pews, clergymen made innovations such as folk masses, rituals decked out in rock music, church-basement coffee houses or pulpits frequented by youthful social activists. In an effort to "get with it", issues of sex, abortion, contraception, and law and order, on which the clerical line once had been clear, became subjects for discussion, debate, accommodation and compromise. Yet, in that period of uncertainty, security of dogma was what many young people wanted. In the meantime, the fundamentalist faiths with their back-to-basics orthodoxies attracted an increasingly large number of followers. Young people sought clear purpose, direction, and the assurance that not even faith could provide. They wanted direct experience of God -- that is, not just to believe in Him, but to know Him.

Toward the end of the 1960s, as a result of this yearning, the writings of Christian mystics regained popularity among scholars and some Christian theologians began examining Zen and Yoga for ways to illuminate Christian religious practice and principle. Most young seekers turned to Eastern religions, new groups that drew heavily on the Eastern ancient traditions and practices, or to the so-called Jesus movement. Others evolved through the Jesus Movement into full counterculturalism. For example, out of the Teens for Christ and Revolutionaries for Jesus in the late 1960s, came The Children of God. This group's antipathy for the churches, the U.S. system and even conventional sexual mores was reflected in its literature which was seen by the study.

Human Potential Movements

Alternatives to religion and drugs emerged for those who sought to transcend the uncertainties of the time. Another path led to the human potential movement, which contended that if society was to achieve peace and harmony, individuals must first be at peace within themselves. The movement stressed insight into oneself and honest communication with others as its goals. It originated in the 1940s when social psychologists began studying group dynamics and the effect of interpersonal relationships on the way groups as a whole functioned. Centres were quickly established in many U.S. universities specializing in Sensitivity Training, Gestalt Psychology and Group Dynamics. By the 1960s, it had become a North American passion,

partly as a response to a demand for methods of achieving inter-racial and other forms of intergroup or interpersonal understanding. Its techniques were sensitivity training sessions and encounter groups in which individuals were pressed by various means to shed inhibitions, and to express innermost feelings about themselves and others with utmost, even brutal, frankness. The objective was to put the individual "in touch with his feelings" and enable him to function better. School systems, churches, Young Men's Christian Associations, corporations, governments, and a broad array of other institutions sponsored group sensitivity training sessions in an effort to foster better relationships among participants and society. Indeed, the movement gained such popularity that it was parodied in the film Bob and Carol and Ted and Alice.

Initially, the goal in all of this was self-improvement, skill development, therapy, and sometimes even recreation. After a time, some groups began describing the goals as expanded consciousness and the euphoric after-effects of a session were attributed to the achievement of cosmic consciousness or transcendency. Some sectors of the movement incorporated Eastern disciplines and practices such as meditation or yoga exercises, and grew increasingly mystical, equating members' experiences with transpersonal or spiritual phenomena. Several groups began demanding continued organizational loyalty from those who took their courses and requiring the practice of their disciplines almost as a matter of ritual. What started as self-improvement

programs became, in these cases, groups of a religious and sometimes cultic nature.

The drug culture. The spiritual revival. The human potential movement. Through each of these led a path that masses of people, mostly young, followed into cults, sects, mind development groups, or new religions during the 1960s and early 1970s. Taking yet another path, many young people dropped out of political and social protest and migrated to cults or new religions to search for peace and world harmony that activism had not achieved.

There undoubtedly were still other routes. However, the point is clear. The Vedic scriptures on which Hare Krishna or Transcendental Meditation are based or the theology of Scientology may seem to differ radically with beliefs indigenous to this society. Yet, there was a logic in the emergence of today's cults, sects, mind development groups, and new religions. It is unlikely they could have attracted significant numbers of followers without responding to some basic needs inherent in the society. They evolved from experiences of people whose alienation from the dominant culture made them receptive to radically new beliefs in a search for ways to transcend the anguish of the times.

CHAPTER 4

DESCRIBING THE PHENOMENON

"The media," complained a Canadian spokesman of a major international religious movement, "put all new religions into one basket and love to relate them to Jonestown, the site of the 1978 mass suicide of People's Temple members."

The remark, from one whose group has been vilified repeatedly in newspapers and public affairs broadcasts, could hardly be considered entirely objective. It did reflect a perplexing truth that bedevils any attempt to categorize or collectively describe groups in this study. The groups are a complex reality and defy simple analysis.

In terms of size, the movements vary remarkably. Hard, independent data in this regard was not usually available to the study. Often the two sources were articles in specialized journals or the mass media and representatives of the various groups who sometimes could only estimate membership. For two groups, the Apostles of Infinite Love and the Fellowship of Christians, the study was unable to get even that data.

Still, the information does provide some impressions of the size of movements under study and the extent to which they vary in this regard. Descriptions of the size of 12 groups have been compiled. The estimates are as follows:

Ananda Marga: An official of this movement told the study the group had about 15 members in Toronto, five of them living communally at its regional headquarters in the city. He estimated there were about 30 members in Ontario, although hundreds had been initiated -- taken meditation classes -- without becoming actively involved. He said the group had another centre in Ottawa.

The Brotherhood of Kenneth Mills (The Unfoldment): A group official said about 150 persons were attending the leader's lectures and other movement sessions. With Toronto as the centre of its operations, it ran some programs at one of its properties, Sunscape Inn, at Sparrow Lake in the Ontario vacation area of Muskoka. The leader also had property and business interests in the United States.

Children of God: This group seems to be inactive in Ontario. It was believed that it may have moved operations to Europe, at least for a time, because of problems with law enforcement authorities in various jurisdictions and bad publicity. However, it was known to have operated in Toronto, Windsor, and other Ontario centres. Estimates of its world membership ranged from a few thousand to more than 10,000 in the mid-1970s.

The Church of Scientology: No reliable figures were available regarding this movement's Ontario membership. However, it was known that the church's Canadian headquarters were in Toronto and it had other Ontario missions in Ottawa, Kitchener, St. Catharines, Hamilton, London, and Windsor. Information from one government ministry indicated that the group recently had estimated a Canadian membership of 15,000.

Divine Light Mission: A spokesman estimated that the movement had 180 to 200 active members in Ontario and a total Canadian membership of about 700 to 800. Of the Ontario members, about 100 were in Toronto, 45 in London, 55 to 60 in Ottawa and another 15 or so in other smaller communities. Other estimates suggested the movement may have had 1,000 members in Canada and a world membership ranging from three million to six million.

Foundation Faith: A spokesman said the movement had four ordained ministers in Ontario and 16 student ministers. A submission from the group said there were 12 full-time ministers in Ontario. Ministers travelled to Windsor, London, Hamilton, Peterborough, Sudbury, and North Bay to conduct

services, which attracted as many as 40 to 60 persons.

Institute of Applied Metaphysics (IAM): This group claimed 2,000 members across Canada with 50 in Ontario. Originating in Ottawa, it had a residential centre at Madoc, Ontario, and a retreat at Coe Hill, Ontario, as well as "campuses" at Gravelbourg, Saskatchewan, and Nominique, Quebec.

The International Society for Krishna Consciousness (Hare Krishna): A submission from this movement said it had 80 full-time members at its Toronto centre and another 5,000 part-time members or associates who attended services. It was said 18 full-time members and 500 other were associated with its Ottawa centre. Yet a Toronto magazine had quoted the movement as claiming a membership of 10,000 persons in Toronto.

Mind Awareness: Spokesmen for the group said it did not maintain a formal membership. They said the group was simply a business that operated its various centres on a franchise basis and offered courses for fees. It was said to have 30 New Age centres in Canada, 21 of them in Ontario. Among the Ontario locations were Ottawa, Kingston, Hamilton, London, Kitchener, Barrie, Sault Ste Marie, and Toronto.

People Searching Inside (Psi): The leader said about 5,000 persons had taken his movement's courses with 80 to 90 per cent of them from Ontario. He estimated that about 500 had taken the advanced IB7 course. The company's base is Toronto, but it has had centres in Hamilton, Kitchener-Waterloo, and Peterborough.

Transcendental Meditation (TM): This group also insisted that it did not enlist its students as continuing members. Spokesmen said there were 33,563 practitioners of its meditation technique in Ontario and the main concentrations were in Toronto, Ottawa, Niagara Falls, London, Hamilton, and Sudbury. A Canadian magazine has reported that up to recent years, 190,000 Canadians had taken courses in TM.

Unification Church: A spokesman for the movement told the study there were about 1,000 members in Canada, and 50 active adherents in Toronto, the location of its national headquarters. He said the church maintained an Ontario farm on Rice Lake, where it conducted retreats. Other Canadian centres were located in Ottawa, Montreal, and Vancouver.

Problems with Categories

In view of the variations at so fundamental a

level, can anything be said legitimately about the groups as a unified phenomenon? Previously, historians and sociologists tried to cluster groups into a set of categories or typologies for easier study and reference. The difficulties in the exercise were found in this conclusion from a U.S. Library of Congress research report that "ventures in definition and categorization, while stimulating and often helpful, seem designed to simplify unduly the stubbornly recalcitrant diversity of cults."

A Berkeley psychological researcher developed four categories of new religion: Eastern or Oriental, human potential, enthusiastic Christian, and authoritarian communal. Two New York sociologists, Egon Mayer and Laura Kitch, categorized groups under three headings: self-improvement (usually secular), optimistic-naturalized (usually Eastern) and Christian redemptive (usually apocalyptic). Two California psychiatric researchers, Louis Jolyon West and Margaret Thaler Singer, developed still another set of classifications with 10 on their list. Yet, despite the numerous typologies or categories available, it still would be difficult to find a set completely applicable for each of the Ontario groups in this study. For example, how would Scientology be categorized with its blend of scientism, spiritism and Eastern mysticism all overlaid with its own innovation? Where could one place Psi, with its stress on basic Christian principles, Eastern concepts of life force and borrowings from current psychotherapies?

Problems of typology and description are further compounded by the tendency among such groups to alter their beliefs or practices to cope with pressures exerted by the larger society or to accommodate new revelations from the leader. One major international movement began as a highly successful self-improvement program but eventually declared itself a religion. Critics assert the change was a ploy to avert inquiries about practices of questionable legality but the group says it flowed from the leader's spiritual discoveries. Another group, a mind development movement, reportedly amended or dropped elements of its courses when media reports drew attention to allegations of damage they caused to the mental and physical health of students.

Some Generalizations

For all the category problems, some generalizations are possible and instructive. Despite their diversity, clusters of groups often possess substantial common traits and sets of basic themes. However, each group in the cluster varies in these traits and themes. So long as the perils of generalities and group differences are remembered, a great deal can be said about them as a kindred group.

Among the more useful typologies was one devised by Frederick Bird, professor of religion and sociology at Montreal's Concordia University. Two of Bird's categories seem of particular relevance for this study. In the first category, followers become what Bird calls "devotees of a

sacred lord or lordly truth" and in the second, they are characterized as "apprentices" who seek to learn how to unlock the "mysteries of a sacred, inner power."

Bird's devotee pattern occurs in the Divine Light Mission or Hare Krishna. In such groups members commit themselves to and identify themselves with a holy master or ultimate reality, possessed of superhuman powers and consciousness. Trance-like states, induced through chanting or other means, and submission to restrictive standards governing virtually all aspects of life are part of the experience in such groups.

Bird says followers of apprenticeship groups believe there is a capacity for greater energy, creativity, or power residing within them that can be released through the practice of techniques taught by their movements. These groups include Transcendental Meditation, Scientology, and Psi.

In categorizing the groups, Bird notes a significant distinction among the movements, setting the more exclusively spiritual "devotee" groups apart from "apprenticeship" groups with a decidedly psychotherapeutic orientation. This difference will be important later in the report, especially when distinctions are drawn between the two types when dealing with the effects their practices are said to have on the mental and physical health of followers.

Dualists and Monists

Another exercise in description and classification the study found useful was produced by sociologist Thomas Robbins, of the City University of New York, and social sciences research co-ordinator Richard Anthony of the Graduate Theological Union at Berkeley. It is not totally applicable in the narrow sense of the Ontario context. Some groups, especially those that originated here, seem a mixture of several types.

The researchers found that in terms of beliefs and metaphysics, the groups -- even those that claim not to be religious -- can be divided into two categories: dualist and monist. The dualist system is more readily recognized and understood in this society and groups that could be considered dualist include the Unification Church, the Fellowship of Christians, the Children of God, and the Apostles of Infinite Love. They believe in God whose kingdom of righteousness stands in opposition to Satan and the Dark Forces. Their dualism emerges in the way they draw distinction between God and man, good and evil, and body and spirit. Their objective is salvation and the rejection of Satan. In such groups, Satan is found in sexual promiscuity, pornography, abortion, homosexuality, and other results of a permissive liberal society. However, the Children of God promotes acts prohibited by traditional sexual taboos, and the group leader justifies such acts by group members, by saying they are a defiance of satanic forces of repression within society.

The two analysts have further subdivided dualist groups into neo-fundamentalists and revisionists. Neo-fundamentalists, products of the Jesus movement, are generally pentecostal and biblical literalists, who stress the impending evil of apocalyptic events foretold in the Bible, such as God destroying the ruling powers of evil and raising the righteous to a life in a messianic kingdom. The Unification Church is a prominent example of a revisionist group, which is apocalyptic but re-interprets Judaeo-Christian history and beliefs as well as adding new elements from other systems or from the leader's invention. Dualist groups, particularly of the neo-fundamentalist type, may take up communal, monastic life-styles.

Monism derives its name because groups believe in one reality in which a person's awareness or consciousness is united with all things, persons, and elements of the universe. Unlike dualists, they have no divisions between good and evil, God and man, and body and spirit. To monists, a person's consciousness is a limited form of awareness hindered from realizing itself as part of the whole universe. To practitioners of TM or devotees of Ananda Marga, to be aware of reality in their terms means to have achieved "cosmic consciousness." To Scientologists, it is to have reached the state of the "operating thetan," a condition of pure spirit. To followers of Hare Krishna it is to have

arrived at "God-consciousness." For followers of monist movements, the objective is elevation of a person's consciousness to the cosmic levels of universal awareness. They seek to transcend or go beyond the deceptive material world and all its pain by processes of physical and/or mental conditioning.

In such movements, sin or evil may be construed as one of the deceptive appearances or beliefs of a limited consciousness. However, that is not to say that they are characteristically immoral or amoral. Most of such movements prohibit use of drugs and sexual promiscuity because they believe certain forms of behaviour hinder achievement of higher levels of consciousness. For the most part, they also are optimistic groups, which envisage mankind evolving toward a better condition through self-realization. There are apocalyptic groups among monist movements.

In much of the literature on new religions, monist is used synonymously with Eastern. That is potentially misleading since several monist movements are new Western groups. It is true that, insofar as the group is Eastern, it seems more alien to our society than dualist movements. Most groups in this study are monist -- perhaps a reflection of the prevailing values and institutions.

Technical and Charismatic Approaches

Both the dualist and monistic groups can be divided into sub-categories according to the programs

they prescribe for those seeking transcendence into universal consciousness. For our purposes, the most important distinction Robbins and his colleague draws is between groups that promote "technical" approaches and those that are "charismatic."

Technical movements would include Scientology, Transcendental Meditation, Psi, and Hare Krishna. Meditation, sometimes accompanied by the repeated utterance of a prescribed sound, is one of the most common standardized and repetitive procedures central to these groups. These procedures are reputed to aid the follower in achieving the desired level of consciousness. Frequently such groups lend a scientific cast to their practices to emulate the scientific tone of our era. Scientology, for example, employs an E-meter, an electrical device similar to a polygraph (lie detector) to identify "areas of spiritual distress" that ostensibly inhibit the individual's progress toward the desired state of "spiritual awareness." And claims for the potential of Transcendental Meditation are based on an interpretation of quantum mechanics theory and on physiological and psychological research.

Among many technical movements, there is a dominant therapeutic orientation. The emphasis is on the immediate achievement of goals, often expressed in highly practical terms. Spokesmen for Transcendental Meditation told the study that after one lesson their students began meditating effectively and starting on the road to "perfect health" and generally happier, more productive lives. Scientologists, referring to their group's "applied religious philosophy,"

repeatedly stressed that "it works." Testimonial letters in a Scientology publication reflected the feeling of one writer who said: "I did this so quickly I'm in awe! My abilities increased daily." As well, Psi has offered to teach within a four-day program methods to control pain, improve memory and perception, heighten creativity, eliminate bad habits, and enable students to achieve mind-to-mind communication. In most such groups, the programs are offered commercially as courses for which students pay fees.

Charismatic movements, such as the Divine Light Mission of Guru Maharaj Ji or The Brotherhood of Toronto's Kenneth Mills, propose imitation of their leaders as the route to enlightenment. The leader is what some analysts have called an "exemplary prophet" or one serving as an example to be imitated, compared with the "emissary prophet" or messenger found in Western beliefs. A Toronto musician reflected the exemplary appeal of his leader when he told the study why he joined The Brotherhood after a brief conversation with Mills. "I couldn't express what I understood, but I knew he knew," said the musician. "He was at peace on a level I had never known."

GENERAL CHARACTERISTICS

While some dominant characteristics of a group may suit it best to one or another of the typologies or sets of categories, other characteristics are more generally applicable, cutting across these typological distinctions.

Syncretism

Most groups are highly syncretic, which means their beliefs combine philosophies, doctrines, and practices of several traditions, either native and foreign or religious and secular. Perhaps Psi is one of the most obviously syncretic of the groups in Ontario. Its programs are based on fundamental Christian religious and moral teachings, kundalini, an Eastern philosophy concerning the source of primal energy, and T-group techniques with roots in the human potential movement.

Anti-rationalism

Another characteristic common to most groups is anti-rationalism, which many analysts describe as a reaction against the rational humanism of traditional religions or excessive use of reasoned thinking by a society, heavily dependent on science and technology. The groups note that for all the advances in material or reasoned knowledge, society has failed to resolve problems of alienation, which affects individual members of society, and annihilation, which threatens all mankind.

In most new beliefs, the intellect is the ultimate obstacle to the achievement of goals. These goals, whether it be the realization of God, reality, or the state of grace, must be a direct experience and not involve reason. For example, this inclination was implicit in a description of meditation by a spokesman for the Divine Light Mission: "You are taught by Mahatma to relax and look inside and feel

the experience that just comes. It's very soothing." The spokesman added in commenting on a statement by Guru Maharaj Ji, leader of the Divine Light Mission, who said: "Because your mind troubles you, give it to me." The spokesman interpreted his leader as urging followers to transcend or go beyond reason, and come to knowledge through devotion to him. As U.S. philosopher Jacob Needleman says proponents of such views might even go as far as to argue that "we must transform our view of reality by liberating our inherent attunement with the magical and by abandoning what has been called the 'myth of objective consciousness.'"

Scientism

Paradoxically, despite this general anti-rationalism among groups, many still accept the validity of modern science and its assumptions of a rational universe. And many employ scientific language and resort to science for what they show as proof by observation and experience of their legitimacy. However, Canadian sociologist W.E. Mann said such groups are "post-scientific." They look with scorn on the materialism of contemporary science. While traditional science and technology focus on the physical world, which can be perceived through the senses, measured by weight, motion, and resistance, and be subject to the laws of nature, the science of such groups is "meta-physical." Their science relates to the supernatural, goes beyond the ordinary rational limits, cannot be perceived through the senses, cannot be measured, and is not subject to the laws of nature. But,

the Church of Scientology measures skin responses with its E-meter to gauge the spirit transcending or going beyond reason. And Transcendental Meditation explains its concept of world government of the Age of Enlightenment in traditional scientific terms of quantum mechanics and unified field theory. In these cases, science can support and even explain. But in the end, groups say attainment of their goals of the realization of God, reality, or state of grace can only be achieved by direct, unreasoned experience.

Other characteristics commonly noted among some such groups involve beliefs in reincarnation, out-of-body experience, psychic phenomena, and special helpers. Scientologists and Hare Krishna devotees believe that a person undergoes successive incarnations. Scientologists have also reported personal experiences of their spirits leaving their bodies for a time. Psi students claim to have diagnosed illness in strangers. People who have taken Psi courses also described being told that while in deep meditation, they could call upon what seemed to be spirit beings to help them resolve problems.

LEADERS

Most analysts, particularly critics, tend to focus on leaders -- those central figures upon whose word the organizations are founded and continued. These central figures, virtually always living at the time their movements are founded, come from a broad range of backgrounds. Among the

leaders of groups operating in Ontario are a few former clergymen or students of the clergy. There are also a former cosmetics and jewelry salesman, science fiction writer, public servant, music teacher, and Eastern mystic with a background in commerce.

They commonly possess an aura of passionate conviction, righteousness, and humility, which generally conceals an extraordinarily active ego. They are energetic, often to the point of dynamism. They are also capable of inspiring profound admiration and trust, either by virtue of a quality of serenity and wisdom that seems to emanate from them or by demonstration of the powers they claim to possess. In ritual systems, recruitment practices, and public appearances, they manifest a flair for the theatrical, for innovation, and for marketing. This is fully in keeping with a tradition established by centuries of spiritual and religious innovators.

They frequently can claim to have experienced adversity, and often from such experience, their special insights are allegedly born. The head of an Ontario mind development group described himself as once being an abject failure in his personal and business life. Then, he said, he literally died during a human potential course and returned to life after first undergoing a mystical experience. This inspired his successful search for spiritual knowledge and the founding of his group. Leaders of Eastern groups often derive their doctrines from ancient scriptures and may portray

themselves as the chosen heirs to long lines of masters far back into antiquity. Leaders of current groups may describe themselves as prophets or may foster in others the belief that they are divine in some measure.

It has become a platitude to describe leaders as charismatic. And it is true that the leaders of some groups in this study are seemingly possessed of that broadly appealing personal magnetism and charm, properly called charisma. Yet, the description is employed more to rationalize the reasons apparently intelligent, stable young people are attracted to many groups than it is to characterize the leaders. Voiced by critics of groups, the description of leaders as charismatic frequently seems designed to portray followers as unsuspecting, passive victims, enticed and entrapped by persons capable of instant mesmerism. There may be validity in that view, but it will be considered later. But whether valid, it does tend to obscure the fact that leaders can succeed only if their messages strike sympathy in people already tuned to receive it. Those who embrace radically new beliefs are not simply passive victims plucked out of comfortable niches. Independent of the leader's advent, sufficient doubt must exist within the potential convert about himself and/or the values and institutions of society. The potential convert must be distressed and dissatisfied, even if the cause of the troubled spirits is vague and ill-defined. Thus, certain questions seem automatically to follow: Who are the people

who today join cults, sects, mind development groups, and new religions? How alienated from traditional norms, beliefs, and institutions are they that they turn to such markedly non-traditional groups?

THE CONVERTS

In a massive and still growing amount of literature on the groups, a great deal of attention has been devoted to answering questions of who joins and why. Existing analyses of the so-called "conversion syndrome" are still fragmentary, localized, and, in many instances, biased. This study found little research done in Ontario in this area. But conclusions about Ontario followers can be made by reading various research with information gathered by the study during interviews.

No segment of society has a corner on social alienation, disaffections, and personal insecurity. Not surprisingly these movements, which offer social reform, spiritual salvation, or personal improvement attract people from a broad range of age groups, and backgrounds. Representatives of almost every group which co-operated with the study, described their membership as a cross-section of the community. The study could not conduct its own formal research on the characteristics of group followers, partly because study participation was voluntary. Again, other research and perceptions from interviews with 63 former and current members does indicate certain strongly dominant

characteristics among followers.

Young, White and Middle-Class

Perhaps the most striking feature of groups is that followers are generally white, young, -- between the ages of about 18 and 30 -- and middle-class. Few are Black, Native Indian, or Asian. Most have completed high school and have a university-level education, perhaps because the groups concentrate on campus recruitment. In Ontario, university students also seem to constitute a substantial portion of the group followings. As well, this study found that a significant number of the followers were or had been employed in clerical positions and sales or personnel work.

Given the spiritual cast of the groups, even of the groups claiming not to be religions, researchers have tried to determine the religious backgrounds of followers. The cumulative results have been inconclusive. Harvey Cox, a Harvard University divinity professor, has said that those attracted to Eastern groups are generally from liberal, Protestant or Reform Jewish backgrounds. An Ontario man, who claims to have participated in more than 100 deprogrammings, eight of which were in Ontario, told the study he estimated that 80 per cent of Eastern group memberships were Jewish. Dr. George Swope, a U.S. theologian, has estimated that Jews and Catholics each account for 40 to 45 per cent of group participation and ranked Protestant followers as a relatively small element. However, Anthony Campolo, a U.S.

Baptist minister and sociologist, has reportedly said that while "Protestants are the most susceptible...Jewish children tend to be least susceptible." But, the study's sampling of former and current members may simply reflect the religious makeup of the Ontario community. The majority of this study's interviewees were Protestant, the balance were Catholics, Jews and others.

There is considerable disagreement among researchers and presumably informed commentators about the religious backgrounds of group followers. Little commentary exists on an equally or more significant question about the extent adherents actually practised their former religions.

Nevertheless, there is a broad consensus among researchers on the emotional, psychological, and ideological factors that make groups attractive to many people. Clearly, it is not by chance that the majority of group membership comes from young, middle- or upper middle-class, fairly well-educated, and intelligent urbanites rather than from the poor and "pariah" groups. These are the people to whom the groups have directed their major recruiting efforts and are most attuned to their messages. It is this element that most strongly shows a culturally-learned drive to achieve, tempered by and often in conflict with, high idealism and an active conscience. Among them the traumas of the present and the grim omens of the future can depress the spirits most profoundly and generate a great sense of insecurity.

Facing an Unsettled Future

At the best of times, the future is an unsettling challenge for the adolescent emerging into adulthood, the young adult striving for advancement, or the young parent trying to build security for his or her family. The choices in education, vocation and life-style are myriad. The guidelines are increasingly uncertain and flexible. And, bred in comparative affluence and assured of the necessities of life, many of the young people facing the choices find themselves ill-equipped to bear the burden of such freedom. They suffer what Cox of Harvard University has called "a kind of choice fatigue."

These are not the best of times. One need not be a confirmed doomsayer to be somewhat disconcerted these days with crumbling economies, rapidly shifting and shrinking job markets, social disintegration, dwindling energy resources, and deteriorating environments. The daily news makes the choosing of alternatives for the future seem like choosing paths through a minefield. Indeed, for many it makes the act of selecting seem fruitless, at best, perhaps even terrifying. The result can be frustration with themselves for failing to meet their own lofty standards and frustration with society for fostering their malaise. In a report on a special sub-study for this project, Toronto psychiatrist Dr. Saul Levine described them as people who feel "relatively alienated from their current life-styles and society. They at times feel demoralized, pessimistic, powerless,

isolated and uncomfortable with themselves and others."

This state of anomie may manifest itself religiously with the individual seeking the lacking direction and stability in a closer relationship with a divine being. Alternatively, it may express itself in a determined search for self-improvement and for personal growth. As Dr. Vivian Rakoff, a Toronto psychiatrist, told the study: "The wish to grow is a...belief that society engenders in you -- that you have a marvellous self and that, if you can find the right exercises, you will flow and flourish and be more creative and loving and capable."

The anomic condition is not exclusively the affliction of those on the verge of joining cults or sects, pursuing mind development, or converting to new religions. Many find the strength within themselves to re-establish equilibrium. Many turn to traditional forms of support -- mainstream religions, pastoral counselling, various forms of psychotherapy, and even friends and family. However, others, feeling alienated from the conventional, do turn to the groups for their therapy. For them, the groups are what Dr. E. Mansell Pattison, a University of California professor of psychiatry, has called "alternative healing systems." He says the groups share many goals of the mental health system but differ radically in method, content, and context.

Just Fragile People

None of this is to imply that adherence to a group is symptomatic of mental illness. The bulk of adherents are,

as Dr. Rakoff told the study, "Just fragile people...socially in some degree of hazard." But even the most ardent among more responsible critics of the groups agree that only some become followers as a result of clinically describable conditions. Researchers' estimates of the percentage who are mentally ill vary markedly, from 20 to 80 per cent, with most registering at the lower end of that range. Dr. John Clark, a psychiatry professor at Harvard University Medical School, described this element as composed of "seekers" -- that is, chronically schizophrenic people, excessively uncomfortable with the outside world and themselves, who seek comfort in a fresh reality.

Dr. Clark acknowledged also that a substantial number of followers are "apparently normal...going through the usual crises of development on the way to becoming adults." A pair of California researchers, psychiatrist Louis J. West and psychologist Dr. Margaret T. Singer, have written: "...the majority of adolescents and young adults who join cults are not seriously disturbed to begin with...at times of dislocation, disorientation, loneliness or existential crisis they become vulnerable to approaches by groups looking for just such persons to recruit."

Given these and similar research findings, it is not surprising that most present and former followers interviewed by the study expressed feelings of dissatisfaction with their lives prior to becoming involved with the groups. There were those who had been going through a transitional

period in their lives, perhaps changing careers or leaving home for the first time; some had suffered personal tragedy, the death of a loved one, or the break-up of a love affair; and some had begun to despair about their futures, their chances of job advancement or scholastic success. And while a few claimed to have joined the groups out of curiosity, even in most of these instances, there seemed to have been a lurking, unrealized malaise to which the groups could appeal.

Redemption

Generally, the appeal of the groups is two-fold. They hold out promise, at the same time, of personal and social redemption. By observing the regimen, taking the courses, and practising the techniques, one ostensibly can assume control of one's life and simultaneously promote a new social order. A reconstruction of the ego can occur while satisfying the conscience. More specifically, the groups offer authority and direction to those unable to cope with the ethical and material choices that a liberal society lays before them -- those who Harvey Cox has called "refugees from uncertainty and doubt." To those who suffer a sense of worthlessness and isolation, the groups offer love and warmth, friendship, and a feeling of belonging to a caring community or "family." To the insecure, the powerless, and those who feel inadequate, the groups offer the power of the mind unfettered -- the power to excel, and the power to transcend. To those who grieve the loss of a loved one or suffer the anguish of serious illness, the groups may offer journeys

into spiritism, reincarnation, and psychic healing. To the pessimistic and the demoralized, the groups offer hope, the promise of personal salvation, and a sense of purpose. And to those troubled by a sense of their own transiency, the groups offer a direct, personal, often immediate encounter with God or reality not involving sermon or ritual.

The troubled do not always find the peace and security they seek in the groups. The dropout rate, impossible to estimate with any accuracy, appears to be high. Some current and former followers interviewed for this study, similar to those surveyed in research elsewhere, already had gone to two, three or even more groups, often beginning with psychotherapeutically-oriented movements and moving ultimately into new religions. Several were clearly what Dr. Rakoff called "mind-expanding groupies" and had established what the U.S. sociologist James Richardson has called "conversion careers."

RECRUITING

Many involved with the groups do not seem to be actively seeking such radical alternatives at the time of their initial contact. They are often recruited.

Recruiting can take place anywhere, but some settings of college campuses, transportation terminals, urban tourist attractions, and shopping centres are favoured locations, seemingly because they offer contact with large numbers of people. Among them, it is highly probable that there will be

a number of susceptible personalities. Here the recruiter is most likely to find students under stress, youthful travellers cut loose from family restraints, lonely people seeking the company of the crowd, and even the casual but curious wanderer.

Invariably, the recruiting approach is friendly, often effusively so. It is tailored to make the prospect feel on the brink of some elemental discovery and in some sense, "chosen" to penetrate some eternal mystery. It plays upon his self-concern and, frequently, upon that idealism with which self-concern is so often blended in the fragile. "Achieve Happiness in Spite of Other People," urges the message on one new religion's invitation to a free personality test. "Healing Depression/There is a Way Through," is a promise on the cover of another new religion's pamphlet, which also invites people to join the group and participate in "an outpouring of The Holy Spirit in the world today..." A meditation group's poster bears the promise: "Students Improve Learning Ability." And some of its newspaper advertisements have promised "perfect health"; other pieces of literature declare its intention to establish a better world order. A mind development group has advertised that its courses "bring you to self-awareness and self-discovery about the incredible potential that all of us have been born with but few of us have discovered."

Recruitment techniques are as varied as the groups. They run a gamut from the naively direct to the slickly subtle.

They include occasional newspaper advertisements, word-of-mouth, intriguing come-ons, importunate on-street campaigning, public lectures, and free introductory demonstrations or lessons. The approach may be guileless and "up-front," modestly deceptive, or downright devious.

Members as Recruiters

From information for the study, it is apparent that recruitment is a substantial part of the adherents' responsibilities within many groups. In fact, one Toronto-based mind development group at one time operated a pyramid-style plan. Under it, key members received cash incentives for new enlistments they or their own recruits brought in. That practice seems to have been discontinued, but it remained characteristic that continuing members would be severely berated and humiliated if their recruitment efforts faltered. In a 1966 "policy letter" from the leader of another group to all "divisions" of his movement, the organization's officers were instructed to "get students ...to find new, raw meat...of their own around town" and bring them in so they can be turned into "walking advertisements" for the group. In several religious movements, witnessing, a demonstration or declaration of faith, in public places in an effort to attract new members, has been a condition of group membership. One new religious movement devoted 40 pages of a 360-page manual for devotees-in-training to the spiritual and practical aspects of bringing in "spiritual children." Transcribed lectures by church leaders and those who had

done witnessing provided advice on matters of productive recruiting locations, demeanour, and conversational gambits. Another group in a 1973 bulletin to its branches set out 17 detailed drills in the training of membership and staff recruiters. Still another group suggested in a 1978 newsletter that its female members "litness" (listen and witness) by "FFing" with male prospects. The rationale was that "if you could do it for the Lord, it's not only a good living, but a good witness."

In fairness, adherents seem most often to undertake recruiting willingly and even voluntarily in many cases. Newly-converted members tend to proselytize out of an intense desire to share their euphoria after apparently having achieved peace, knowledge, or self-control. These are the most effective recruiters. Representatives of one of the most successful meditation groups told the study their main source of new students was former students. And the study was repeatedly told by present and past followers that they had been enlisted by friends, relatives, or fellow workers. An approach by a "blissed-out" or uncharacteristically tranquil acquaintance proclaiming himself reborn, reformed, or even just becalmed usually is open, guileless, and attractive to anyone who is somewhat fragile.

In the case of one Toronto-based spiritual organization, the study found that word-of-mouth seemed to be the group's sole form of recruiting. Its 150 members seem to have been drawn largely from the ranks of middle-level professionals,

performing artists, and others of a single, socio-economic stratus. Here, personal contact seemed sufficient to maintain group stability.

Recruitment Methods

Despite the effectiveness of this method for most groups, they generally engage additionally in some form of outreach. Some in their Ontario operations seemed less imaginative and energetic than others in this regard. A few employed sporadic advertising, posters, occasional public rallies when movement leaders were visiting, and casual contact between members and acquaintances or strangers. In the case of several groups, particularly some that operate internationally, recruitment is a multi-faceted, carefully-orchestrated business, founded on principles of human psychology and product marketing.

One meditation group, which claimed to have taught its techniques to 33,563 people in Ontario, relies heavily on word-of-mouth and advertises regularly in newspapers. However, it also attempts to promote the adoption of its courses by governments, corporations, schools, and other institutions as a means of improving employee and student performance.

Adopting a device employed by the retail trades, some groups have used modest give-aways to attract attention. One religious group hands out tickets for free personality tests. The test was taken separately by two persons who, for the study, wandered through central Toronto to report on

contacts with any of the groups. The pair told the study their tests ostensibly had shown that they were unhappy and therefore should take the movement's courses to improve their lives. Another group, an Eastern religious movement, distributed free tickets entitling the holder to a \$5 vegetarian meal. Those who accepted were treated to food and discussion of the movement's beliefs. A mind development group operated free car washes where members distributed advertising pamphlets and quick lectures on the power of the mind. Those who expressed interest were invited to a free introductory lecture where psychic powers ostensibly were demonstrated by recent graduates and courses were touted.

Other groups concentrate their on-street recruiting on anyone who seems lonely in a crowd or unfamiliar with surroundings. In conversation with such a prospect, they offer fellowship with philosophically or religiously like-minded people at a coffee house or other group centre. Perhaps the group would be identified to the prospect. On the other hand, much testimony to the study showed that some proselytizers were somewhat less than candid on this score, implying instead that they were simply members of discussion groups or communes.

Smiling, Happy People

Whether the prospect is told that he or she is the focus of a recruiting effort, contacts with group members are characterized usually by exceptional warmth. The prospect

is received by smiling, happy people, who seem genuinely concerned about his welfare and interested in his ideas. He is the target of what one group describes as "love-bombing." Critics of groups describe this approach as a calculated ploy; proponents say it is a spontaneous expression of the members' desire to share the joy of their enlightenment with others. A training manual one religious group developed in the U.S. contains this description by a member of her experience with the technique:

When I witnessed on the streets I had a little table and I never said too much, I just invited people over and I think most of the people came to dinner. And once they were inside the house, Onni (a seasoned member) taught us that we have to be happy-makers...Everyone is very joyful. We sing songs and we sing them three times faster than you do here. She emphasizes not so much the truth at first, but that you must really love people. You must 'love-bomb' them... Finally that person's heart would melt and he or she would sign up for a training session.

Several Ontario residents, interviewed for the study, said they had been recruited into this movement during trips to the U.S. Typical of their stories was the testimony of an Ontario university student who said:

When we (he and a travelling companion) got into San Francisco, the weather was bad. There was no room at a hostel. We went to a grubby hotel in a bad neighbourhood and the atmosphere was frightening. It was really bizarre. The next day we were wandering with a tour book and knapsacks and two girls approached us. We found out they were with a commune and had a farm or something outside the city. We were interested in communes. In fact, we had intended to look in on Walden II (a U.S. communal group). We had supper with them at their place and talked and they showed slides about the commune...They seemed really warm and friendly and really trustworthy...We were looking for

companionship and we were looking for alternate experiences.

The student and his friend, like others to whom the study talked, said that while at one of the movement's country properties they were immersed in indoctrination sessions even before discovering the identity of the group. It does not seem as though the Ontario arm of this movement is yet as deeply involved in such highly refined and articulated recruitment. However, it is recruiting here and has a country retreat. There are also indications that a similar program now may be evolving as it acquires more members, funds and property.

Critics of movements have charged that even their participation in community service programs is simply a matter of promotion and recruitment rather than altruism. The study found no firm evidence to support that allegation, but there was evidence that members of some groups had used their contacts with social service clients as opportunities to proselytize. Some groups also have run courses for children, programs ostensibly designed to improve study habits and learning skills, but critics say these programs were intended as a way to approach and recruit parents.

Discrimination in Recruiting

Some groups appear to be indiscriminate in their acceptance of members or students. But many are selective. Their recruitment practices -- the location of recruitment,

types of prospects, and techniques -- serve as a kind of passive screening. Most groups, fearing legal problems of the kind that a few had experienced as a result of inducting minors, attempt to screen anyone under the age of majority unless he or she comes with parental consent. But some groups actively exclude specific categories of people. Adherents of one religious group told the study their movement barred the terminally ill, the potentially suicidal, or those who had been institutionalized for psychiatric problems or crimes. When it was pointed out that one might expect a church to accept such people as a matter of mission, representatives of this group explained that a bad experience with such a case could result in further negative publicity for their already beleaguered movement.

Few, if any, groups knowingly recruit anyone who shows signs of a physical or mental condition that would likely deteriorate seriously under the rigors of the groups' practices. At the same time, few groups in this study seem to have any more than basic screening techniques, if they screen at all. Of those that do, movements offering courses on a commercial basis are most likely to have formalized procedures. Application forms or questionnaires may ask whether the prospective recruit is under medical or psychiatric care. Contracts might require that the recruit swear to his physical and mental fitness. An applicant who admits to a problem may be accepted but required to get his doctor's permission in writing before being admitted.

A former member of one mind development group told the study that, as a volunteer staffer on some of the group's courses, she had participated in screening applicants. She said she and other aides "worked cases" -- that is, exercised their psychic diagnostic capabilities -- on applicants as part of the procedure designed to assess their fitness. If a person was judged "dingy", a weak or seriously-troubled personality, he was "encouraged not to take the program." If a person was deemed to be immature or likely to break down easily under the pressures in the emotionally-charged course, he was permitted to take it, but if "winged" -- that is, made to cry -- he was to be let off easily.

THE CONVERSION PROCESS

Recruitment, however, is not conversion. Having attracted the prospect, perhaps even enrolled him in a course, the group still cannot claim him as its own. The recruit must become a convinced practitioner and a willing participant in the life-style of the group. That is accomplished in some movements by a process the U.S. sociologist John Lofland has called "encapsulation." In others it is done by demonstration.

In encapsulation, the prospect is placed in a controlled setting where the group's faithful can cope with doubts or hesitation while psychological and emotional ties between the prospect and the group can be advanced without interference

from outsiders.

The religious movement which inducted several Ontario residents while travelling in the U.S. practises the ultimate in encapsulation. After meeting members of a so-called experimental community project at a city gathering, the potential member is pressed to attend a weekend-long workshop at a country retreat. In some cases, the weekends extend into three or four weeks. Isolated from the outside world with no media and only minimal access to a telephone, the recruit finds virtually every moment scheduled. Never left alone, he or she is accompanied literally everywhere by a "spiritual parent" assigned to explain away any qualms or doubts as Satanic influences. One group plans unceasing activities of games, singing, dancing, chanting, chores, praying, and lectures. Physical activity is frenzied, exhausting, but exhilarating. Lectures grow gradually more intense and are keyed to a specific set of doctrines. The diet is vegetarian and sleep is restricted to a seven-hour period. The content of workshops is always focused on subjects chosen by group members, who dominate the discussion. As a 30-year-old woman recruit told the study, the atmosphere is "really, really friendly."

The result of this experience is not always conversion; some prospects resist and leave. Others, however, after indoctrination periods of varying lengths, become believing participants, witnessing and fund-raising for the group on the streets. Again, it must be noted that

many stories the study heard about the group's practices involve Ontarians in the U.S.

But a few of the other groups seem to be playing variations on the encapsulation theme. They also may remove recruits from the full range of normal social and familial contacts, ply them with affection and doctrine in controlled settings, alter patterns of sleep and diet, and exercise strong group pressure to thwart backsliding.

Other groups turn recruits into believers by demonstrating that their practices work. This occurs particularly in therapeutically-oriented groups. For example, an Ontario mind development group initiates followers in a four-day course, where they purportedly learn in deep meditation to psychically diagnose illness in others, cure their own ailments, and curb long-standing addictions to tobacco, alcohol, and drugs. Former members told the study the experience left them euphoric. One former member said she experienced agape -- a profound love for humankind. Another said it "awakened suppressed spiritual feelings."

Encapsulating elements also occur in these examples. While descending into deeper levels of meditation, participants are guided solely by the voice and instructions of the leader. Questions are frowned upon. Members of long standing are always on hand to pacify doubts. Loyalty to the group is suggested during the last stage of meditation when participants are told that the people around them are those they should love. And newcomers are always the recipients of

lavish expressions of affection by standing members and leaders. Other elements of encapsulation are not parts of the process at the conversion stage. Recruits are not removed from normal social contact for the duration of the indoctrination period, and their life-styles are not rigidly controlled. They are not denied access to other information. What persuades them to continue with the group, to proselytize, raise funds, and devote endless hours in volunteer work -- sometimes even to the extent of totally forsaking paid employment -- is that it seems to work. They have undergone an extraordinary experience that has palpably demonstrated the legitimacy of the group's claims.

PRACTICES AND LIFE-STYLES

Many recruiters and believers do not stay and thus the dropout rate appears to be high. Some groups admitted to the study that they found it hard to maintain a stable membership. The reasons for leaving are as complex and varied as the motives for joining. However, one factor appears to be the practices and life-styles that most groups require of members.

The demands of membership in the movements is frequently rigorous. Many require a level of devotion and self-discipline and a preparedness to adopt radical and often ascetic life-styles.

Meditation

All groups want to achieve a desired condition of

mind or spirit -- an end to which many practices and prescriptions for life-style are directed. Perhaps the most widespread practice among groups is meditation. The meaning of the term seems to vary in each group. It may mean quiet reflection, prayer, or the auto-induction of a totally altered state of mind. Meditation techniques also vary. In one mind development group, members, acting on instructions from a leader, descend through what are purportedly ever-deeper levels of consciousness by methods, including counting or rhyming off rainbow colours. In another, a mantra -- a special word or phrase of mystical significance -- is repeated over and over as the meditator ostensibly empties his thoughts of all specific content and ascends to a level of pure thought. In one religious group, the mantra is sometimes augmented by ecstatic dancing. Whatever the definition or technique, meditation is intended to achieve inner peace and focus the mind on what the group characterizes as the transcendent reality.

Arena Sessions

Since some leaders were products of the human potential movement, the organizations they founded often tend to employ practices reflecting those origins. Former members of one such group, a Toronto-based mind development movement, told the study it took students in its advanced course to week-long, intensive sessions at motels, lodges, or other residential settings remote from their homes. Participants were not told where they were going or given any

details of course content. They gathered at a central meeting place and travelled in convoy to the location of the course. Those who drove were asked to surrender their car keys upon arrival and everyone was instructed not to communicate with anyone outside the course. Once launched into the program, participants discovered that a central part for each was an "arena" session.

The arena featured presumably soul-cleansing confrontation techniques styled after those used by some extreme groups within the human potential movement. One by one, students were required to stand before their peers and staff members and "confess" their most intimate secrets. Each had previously written out a list of "milestones" (traumatic or happy events) in his or her life. The purpose of the list was represented as necessary data for individual astrological charts. However, persons in the arena found themselves confronted by staff members, embellishing on these "milestones" often to the point of distortion, pressing the person in the arena to make what often were grotesque and unfounded confessions. Incestuous or homosexual tendencies, yearnings for the death of a parent or child, or loathing of spouses were the kinds of "secrets" students reportedly were hounded most often to confess. As the subject became more reticent and the atmosphere grew more emotionally-charged and frenzied, other students, urged on by staffers, were shouting and snapping their fingers at him. Verbal abuse, often in the foulest of language, was heaped upon those who tried to resist or protest. In the group's past, water was thrown at the

unresponsive, but the practice has since been discontinued. In some cases, the abuse was more physical with shoving and pushing. But an arena always ended with the subject, frequently shaken and weeping, being received back into the arms of fellow students and staff with expressions of love, consolation, and forgiveness. Altogether, the formal arena sessions, which lasted between 15 minutes and 1½ hours, accounted for one day in a week. The rest was devoted to religiously-oriented study and workshops, but students often found themselves the subjects of impromptu arenas at other times if staffers felt they were not performing adequately. Some former members reported being subjected to arenas when they incurred the displeasure of the group's leader during volunteer or low-paid staff work for the organization.

Confession

Confession is also a part of other groups' practices. One major religious movement in this study employs an electronic device, an E-meter, to confront the subject with questions intended to evoke skin responses that indicate emotionally-troubling memories. These memories are ostensibly eliminated by counselling and further "processing" with the result that the member evolves towards a cleansed or "clear" condition in which his spirit can function freely.

Another international religious group uses a confessional form referred to as "cereal dramas." During their indoctrination at a retreat operated by the movement

recruits were pressed during the morning meal to reveal their life stories. After recalling unhappy memories and guilty secrets, they were received with expressions of love and support from those who heard their stories.

Codes for Members

Except in a few cases, groups in this study set out clear normative codes for their adherents. In almost all, smoking and the use of alcohol or drugs for non-medical purposes -- in some groups, even for medical purposes -- is frowned upon, usually proscribed. Some, especially Eastern movements, require members to conform to a vegetarian diet. Unique forms of dress are characteristic in a few cases, while in a couple of others, conservative standards of dress and hairstyle are enforced. Questioning of credos or practices is discouraged.

Several groups are rigorously puritanical in their attitudes toward sex. In such groups if sex is permitted at all, it is only within marriage and only for the sake of perpetuating the group. In religious movements, appointed priests or ministers may be required to take vows of chastity while movements with communes may be divided into male and female quarters. In a few groups, marriages are arranged by the leadership. The study was told that in a Canadian organization, marriages were permitted if arranged, but couples were encouraged not to have children. And it was alleged that males have been encouraged to have vasectomies. Children born within the group were reared communally, independently of the parents and sometimes in

another location altogether.

By contrast, at least two other groups in the study promoted extra-marital sex. One religious group promotes the use of sex to attract recruits while a mind development group, at one time taught that a high level of sexual activity, regardless of marital status, was a standard of one's emotional balance. Several former members of this latter group told the study sex was portrayed as an expression of a mystical life force dwelling within everyone. A young Toronto woman said members who helped conduct courses often asked females in the group: "Have you been laid this week?" A woman from Simcoe County said the leader of the group repeatedly tried to persuade her that she wanted to have sexual relations with her father. But the said leader could rid her of these incestuous yearnings if she had sex with him. Yet another woman claimed that because of the strong emphasis on sexual relations promoted by the group, she had "slept with nearly 50 different members over a 12-month period."

For a follower, life in many groups in this study can be all-consuming. Even in groups making minimal demands on an adherent's life-style, there often are devices that functionally reinforce loyalties to the group, its beliefs, and practices. For example, while two mind development groups told the study they had no continuing membership, refresher programs and advanced courses often kept followers involved. Still other groups were far more demanding, requiring a

virtual all-or-nothing commitment, and the changes they imposed on members reinforce that commitment.

Communes

Communal or monastic living arrangements of the kind maintained by many groups in Ontario are especially effective forms of reinforcement. Known as "ashrams" in many Eastern movements, these are total-immersion centres with minimal privacy and a highly-regimented life in most cases. Members generally engage in a rigid schedule of collective ritual, work, eating, and sleeping. Leaders of an Eastern religious group told the study their members rose every day at 3:30 a.m.; chanted and prayed until 8 a.m. when they had breakfast; worked at cleaning or other tasks in the temple, in the movement's businesses, or in the streets as preachers or fund-raisers; ended their day with a second meal and bed at 10 p.m. A seemingly bleak regimen, but the experience of working in common cause with others seems sufficient incentive to compensate for a lack of variety. As a spokesman for an Eastern religious group told the study: "I suppose by some standards it's pretty strict, but it's full of love...There is a degree of co-operation there which is very, very beautiful...(There's) really a lot of love, a lot of love, I've got to use that word. It's beautiful sharing that."

While members of communes in some movements work directly for the group and sometimes forsake studies and jobs, those in other communal groups may hold regular employment

in the outside community. Since a vow of near poverty is a condition of living in a monastic setting, those who are employed outside surrender their earnings to the group. Like the others, they are provided with subsistence allowances and/or their food, clothing, and shelter. At the same time, their primary social contacts are with group members with whom they live.

Heavy Demands on Members

Many groups are not formally monastic. Yet, they often make such heavy demands on members' time and social lives that they envelop adherents as effectively as an ashram. Acting out of missionary zeal at their groups' urgings, members take instruction, recruit, raise funds, teach, do administrative tasks, or contribute to their movements in countless other time-dominating, energy-absorbing ways. A Toronto businesswoman, a member of a spiritually-oriented movement, told the study her commitment left her little time for anything beyond her job and household:

It takes a lot of your time. You go on Sunday evenings to hear (the leader) speak. If you go on Sundays you make a commitment -- not in writing, but verbally -- to rehear his tape, often three hours long, on Thursday nights in a small group in people's homes. Before you go on a Thursday, you are given the transcript... and you study the transcript. On Thursday the tape is replayed and one discusses what he said there.

Members of this group also staff the movement's commercial enterprises, and many contribute considerable time to renovation or construction work for the organization

or its leader.

As well, a succession of former members of a Toronto-based mind-development group from various parts of south-central Ontario told of the pressure by the leader or his lieutenants to take more courses, work for the group in various volunteer capacities, and even forego associations with people outside the movement. A man from the Barrie area said he gave up professional studies at a university to become a low-paid instructor in this group, partly because he had come to feel guilty at the thought of failing to "share my knowledge with others and losing those hundreds of lives through reincarnation." After a few months, he said he was working more than full time for the movement. "I couldn't take a night off, what with workshops and courses and meetings. I even had to give up a position as a part-time ski instructor. I literally had no other job and I was running out of money."

A professional woman who had been a deeply involved member said: "I was given so much responsibility by the organization that I couldn't do it all...So, all my free time went to the organization. I had no time left for professional groups." The woman said she was urged to reject additional responsibilities at work and did not attend professional meetings or social events. Since she was a member of the group's establishment, it was mandatory that she go out only with other members of the group.

FINANCING

With few exceptions, then, the groups are voracious consumers of their members' time and energies. The time members spend in service to their groups is devoted to myriad activities. But, the follower's task of raising funds receives more time and is seen as a more substantial demonstration of commitment than any other group activity, possibly except recruiting.

In totalist groups, notably among monastic movements, members may exercise their commitment to poverty by assigning any savings or other assets to their movements. For example, the Ontario director of an international religious group told the study he voluntarily donated his \$28,000 yearly salary to his movement for the seven-year period between the time he joined the group and the time he left his job to enlist in it as a monk. The Canadian vice-president of another international religious movement, referring to members who lived in the group's communes but worked in the community, said: "They see their wage earning at work, in a sense, as a form of energy. It's not time, but it's financial energy which could be used, directed toward (the leader's) work." Members of other groups, which do not have vows of poverty and the surrender of assets as formal practices, also have been known to donate savings or property to their movements as acts of devotion.

On the Streets

For groups, the most common way to raise money is

through collections on public streets or going house to house. Evidence submitted to the study indicated that individual members of one major religious movement collected up to \$300 to \$400 in a day by these means. Anyone who visits the centre of any major Ontario city likely has been approached by group members for a donation or asked to buy a candle, flower, pamphlet, or other item. The approach often is open and direct with the solicitor announcing his affiliation or displaying a card that indicates it. Unusual dress, literature and other items may also identify the solicitor as a member of a cult, sect, mind development group, or new religion. However, the passer-by is not always clearly made aware that he is being asked to contribute to one of these movements. This was the experience of some people whom the study assigned to walk through downtown Toronto and report on their encounters with representatives of various groups. In these and other statements made to the study, people, approached for donations by two or three different groups in Toronto, said affiliations were obscured or denied. The name of the group may be buzzed past the prospective contributor's awareness while he still is recovering from the mild surprise of being unexpectedly stopped or even physically intercepted by a stranger. He may be told the corporate name or acronym of the group but not the name known to the public. Or, the potential contributor may be asked to donate to a child welfare program or other charitable cause by a solicitor, who does not identify the movement unless pressed to do so. In fact, members of an Eastern group with unique attire

sometimes wear business suits when soliciting so passers-by will not shun them.

An adherent of an Eastern religious group, who told the study about his soliciting on the street, said:

You'd sometimes tell people it was for children or some charity. Rarely did people know it was going to (the group). But you can't criticize the movement for that; you can criticize the person. A lot of members are so interested in making a lot of money for the movement that they decide to mislead people. Members talk about it among themselves.

Income from Courses

Many groups do not seek financial sustenance on the streets but derive much of their income from their courses. Courses vary widely in terms of length, content, structure, and tuition fees. A spiritual movement with 150 members in Toronto, its major centre of activity, charges employed persons \$80 a month and unemployed persons or students \$45 a month. For that, members may attend the leader's weekly lectures, obtain typed transcripts of his speeches, and audit tape recordings of them for further study. For \$350, members may attend periodic week-long workshops, often held at lodges, all expenses for which are covered by tuition fees.

A Toronto mind development group, which has also run courses in centres like Kitchener and Hamilton, was simultaneously running as many as five different programs. Courses, ranging from two, four, and seven days, are the central offerings. The four-day course, in which the group

says 250 students enrolled in 1978, costs \$225 and provides evening and weekend instruction in meditation and psychism. Students in the seven-day course pay an all-inclusive fee of \$1,200 for a live-in program, usually held at a motel or lodge, in which they participate in T-group sessions, and quasi-religious studies. The leader also introduced a 12-day program costing \$50 each and expenses to accompany him on a camping trip and engage in T-group sessions.

An international meditation group, which claims to have 800 to 900 people a month in its courses in Ontario at peak periods, offers a four-day instructional program for a basic rate of \$150. The family rate is \$250 and students and pensioners can take the course for \$85. The group says its average monthly enrolment is about 200. Students in the basic course are taught a meditation technique that purportedly relaxes them, improves their mental capability and physical health, and ultimately enables them to ascend to a state of pure consciousness. Advanced courses, which are offered in a residential setting, cost an all-inclusive \$35 to \$50 a day.

A spiritual group founded by a former Ottawa public servant runs a three-month residential course in what it calls metaphysical studies for the all-inclusive fee of \$2,000. A cost of \$150 will cover room, board, texts, and tuition for a weekend-long course. A 10-day course costs \$385, all-inclusive.

An international movement, which calls its beliefs an "applied religious philosophy," runs a boggling array of courses organized hierarchically to carry a student from a state of spiritual inhibition to a state where his spirit can function free of his body. One set of courses is designed to assist the student in achieving this goal; another set is for the training of the movement's teachers, administrators, and "ministers." A current schedule of the "donations" a member must make to this movement for various courses was not available to the study. However, in 1976 a Toronto member "donated" more than \$35 an hour to the group for "processing," which is the application of its spirit-freeing techniques. During the first two months of that year, this member had deposited \$6,312.50 with the organization, against which his processing was being debited. A "donation rates" schedule for January, 1976, showed the group charged more than \$1,700 for each of several courses designed to train its own ministers and administrative staff. A fee of \$5,788.12 was set for an advanced course in applying the movement's principles to the management of an organization.

In a few movements, students enrolling in courses are guaranteed their money back if they are dissatisfied with the results. Some groups in this study faithfully and promptly honour the pledge. Others have been less forthcoming.

Tithing and Street Selling

In addition to soliciting street funds and collecting course fees, another common income-generating practice is

tithing. Like many traditional religions, several cults, sects, mind development groups, and new religions encourage members to devote some part of their income -- usually 10 per cent -- to their movements. A former staff member of a mind development group told the study that the movement at one point had about 100 tithing members contributing up to \$3,000 a week in cash or cheques. A spiritual group without a formal requirement of tithing still had about 15 members who gave about several hundred dollars a week in tithes because of the generally high socio-economic status of group adherents.

Many groups have started highly successful business ventures, which augment their income from on-street soliciting, course fees, or tithing. Several market items, often products of their own labour, such as candles, records, magazines, books, or flowers, are sold on the streets or through their outlets and offices. When groups manufacture their own goods for sale, followers' labour is provided free or in return for food, clothing, and shelter.

Donor Memberships and Fines

Memberships also provide income for some groups. An Eastern religious movement with an estimated 300 to 400 members in Toronto and an undetermined number in Ottawa, supplements its street soliciting with \$333 "donor memberships" and \$1,100 "life memberships." A spiritual group that runs courses, augments that income with \$50 annual membership fees for which the members receive the movement's literature and

are accorded the privilege of attending six "members' days" the movement runs each year.

Most of the basic techniques for raising funds are standard for cults, sects, mind development groups, and new religions as well as many traditional religious and secular organizations. But some group leaders and their lieutenants can be highly inventive when it comes to concocting additional methods. The leader of a Toronto-based mind development group established a system of fines for "offences" committed by members and staffers. Offences included not finishing a meal, lying (the leader and his lieutenant were the final arbiters in such cases), tardiness, forgetfulness, or even failing to push a chair back into place after a meal. The fine for lying generally was \$50 and for forgetfulness, \$5, a former staff member said. This ex-member told the study she had witnessed another staffer being assessed \$200 for "distorting" the reason the leader would not allow the alleged offender to go out with another group member. In one week, she said she had seen the group collect \$200 to \$300 in fines.

Help from the Training Manual

Other persons told of being urged, directly or indirectly, to take out personal loans to finance their participation in courses some groups offered. An interesting variation on this theme is set out in a manual that an international religious movement prepared in the U.S. for the training of its local leadership. In a chapter entitled "How to be a Good Leader," the trainee is asked to hypothesize

that he has been assigned by the movement's leader to raise \$50,000 in one week with only 20 other members working under him soliciting donations on the streets. The text suggested that the trainee inspire his team by telling them he will raise half. "Then meanwhile," the manual said, "you are working a different way and praying desperately and finding someone from whom you can borrow money for a while. Or you can sell some special treasure, diamond or something without saying anything to members...Then they can be filled with joy and can do twice as much as before."

Tax Exemptions

As ingenious and energetic as most groups are in raising funds, many are equally so at devising and operating systems to manage the money. Not unlike other corporate entities, many cults, sects, mind development groups, and new religions organize their operations to take every advantage possible under federal, provincial, and municipal tax legislation. Details of how groups use specific pieces of tax legislation to their advantage will be set out later in this report, but a brief explanation might be useful here.

Many groups characterize themselves as religious, charitable or educational institutions in the hope of qualifying under various statutes that accord tax exemptions to such organizations. Many movements operate commercial enterprises side by side with their religious, charitable, or educational undertakings. Such a business venture may run the movement's courses for fees, or it may operate

independent, commercial services available to the general public and the parent group on an equal, fee-for-service basis.

The marriage of commercial and spiritual pursuits can be of considerable financial convenience to the business and non-profit sides of a group's operations. Commercial enterprises usually are staffed by unpaid or, at least, low-paid devotees of the group's beliefs, who see their labours as a contribution to the cause. Any funds the business channels into the group's tax-exempt activities can be written off as donations against taxes. And, in many instances, the group represents a substantial market for the company's products.

At the same time, the group can use its company's donations as a source to finance capital expenditures and its program. If its commercial enterprises run its courses, as in the case of some mind development groups, the students can be pressed to tithe or otherwise donate to the movement's non-profit undertakings.

ORGANIZATIONAL STRUCTURE

It now should be apparent that even groups in this study, for all their emphasis on matters mystical, have found it necessary to engage in the mundane. Fund raising, recruiting, money management, and many other of the groups' concerns are worldly preoccupations. But far from tackling them grudgingly, leaders and many officials of various groups have

done so with marked energy and displayed organizational brilliance in managing what often are almost mass movements.

Commonly, authority comes directly from the leader, whether he is resident among his adherents or governs from afar. He is the sole arbiter of correct belief and practice. His word is absolute and allows little, if any, interpretation. Leaders not in direct contact with their followers maintain control largely through published sermons or directives.

The groups vary widely in the nature and complexity of their organizational structures and managerial hierarchies. Size is one determining factor. A Toronto spiritual group with about 150 members has an organizational chart that shows the leader exercising control directly in most key areas, delegating responsibility only to an administrative assistant. By contrast, an international religious movement with several Ontario centres has an organizational structure that would rival General Motors with its intricacies.

But the structural complexity of this latter group and of many others is often a response to much more than just size. Other factors that have moved groups to graft branches to their organizational trees involve the desire for more members, enhanced incomes, greater respectability, or security against perceived external or internal threats.

Sub-Groups

An international religious movement is known to have

operated a total of 40 separate business, cultural, religious, athletic, socio-political and other organizations in the U.S. Many of the same sub-groups operate or have operated in Canada and some exclusively Canadian operations augment the list. Several of these sub-organizations bear names that clearly indicate a relationship to the parent movement while others have names that only the well-informed would link with the original group. Still others have names that do not even hint at their roots in the movement.

To generate income, whether for the leader or his movement, is clearly the objective of the more commercial among these sub-organizations. However, others seem to serve a set of more subtle purposes. These other ventures often bear names that imply their commitment to broadly popular causes, including anti-Communism, cultural freedom, Canadian national unity, or the welfare of children. They attract support from many people who subscribe to their professed objectives but might not be prepared to support the sub-group if they knew its sponsorship. But the parent movement's minimum benefit is having a sub-group, a seemingly independent body with a large membership, backing a socio-political principle. In addition, the movement may find that some members of its sub groups can eventually be recruited directly into the parent organization once the similarity of its aims and some of theirs is revealed to them.

Meanwhile, a Toronto-based mind development group, which ostensibly deals in developing the psychic capabilities of its students, has set up two supposedly independent, tax-free

research foundations. One seems to have remained dormant since its establishment. The other has conducted some research, which former members claim is minimal in nature. However, the chief purpose of the second appears to have been to serve as a generator of tax-free income. In keeping with a pattern described earlier, the movement encourages graduates of its advanced course to tithe and otherwise raise funds for this foundation. To foster such funding, participating graduates were organized into a "brotherhood." In addition to tithing to the foundation, members were required to pledge that they would bring one student each per month to the movement and to write letters in support when the group was under attack.

The leader of this group and his chief lieutenant also are directors of a publishing company, which has produced much of the movement's literature. A former staff member said the relationship has proved profitable for the company, which recently sold a large number of books to the movement, allegedly at an inflated market price.

Structure Rivals Industry

Perhaps the most complex organizational structure among the groups involves an international movement that became a self-styled church in 1954. The fact that a conservative estimate of its world-wide membership is three million, compared with its own estimate of nine million is an objective testament to the leader's organizational genius. The leader governs a network of "orgs" or individual administrative units, issuing instructions and new ideas through a

stream of "policy letters" bearing his copyright. (A document issued by Canadian "org" headquarters in Toronto said the leader had "retired from active directorship" in 1966, but policy letters issued since then have borne his name as their source.)

The Canadian "org," like the movement's other administrative units, is divided into seven divisions, which are further sub-divided into three departments each. Divisions are headed by area secretaries, departments by directors. Each department is assigned a specific administrative responsibility, including personnel management, public relations, financial management and records maintenance.

One of the most important departments is a security and public relations operation that constitutes a sub-section of the Toronto organization's guardian office. This department is made up of seven bureaus, most of which are assigned some part of the responsibility for securing the movement against external or internal enemies and enhancing its public image. More will be said later about the security activities of this and other movements. It is the promotional operations of this department that are of relevance here.

Gungho Groups

One of the department's most ambitious promotional ventures was the establishment of "gungho groups." Ostensibly, gungho groups are voluntary social service organizations. However, in a 1969 statement to other officials of the movement, a Canadian gungho organizer explained: "Gungho

groups are the first (movement) attempt to build a world government. They are a foothold in the community...what is done in the gungho group is going to influence what the community thinks about (the movement)."

To set up gungho groups, members of the movement examine a target community to determine whether there are social problems causing substantial concern and consensus. Having done so, the 1969 statement outlines activities:

You have Elks Lodges, Rotary Clubs, civic groups, women's associations, students' unions, etc. Most of them are starved for projects. You plan a project and approach these groups. Get maybe eight or ten or fifteen of these groups involved. Farm out parts of your project to each of them.

The gungho group is a co-ordinating group, not meant to do the projects themselves. The others are sub-groups. The credit goes to the gungho group...

Get a good letterhead, and don't name the group a gungho group as such. (The leader) used an inconspicuous and respectable sounding name -- the Citizens' Improvement something or other. An eye-catching symbol, professionally designed, but not a (movement) symbol, could be incorporated in the letterhead and on cards...

Another good idea is to try to get as a patron a public figure and have his name appear as such on your stationery (letterhead).

The movement has had several gungho groups operating in Ontario. A few of these have been loftily dubbed citizen "commissions." The stated targets of these ventures have included drug and alcohol addiction, human rights violations, abuses of police powers, problems of the aged and criminality. In approaching governments, the media or other institutions for grants or other forms of support for causes, they have

used the names of prominent persons, allegedly not always with approval. In many instances, the movement's sponsorship of a gungho group has been openly acknowledged, but in others it has been obscured or flatly denied.

Those gungho groups, which profess to operate rehabilitative services, have sought grants from governments and private corporations or permission to run programs in government institutions. A Central Mortgage and Housing Corporation grant of \$11,500 was reportedly given the group for the purchase of a house for an addiction treatment centre in Toronto in 1975. The same operation boasted in 1973 of receiving a grant from IBM Canada. In 1972, the Board of Education in the Metropolitan Toronto Borough of North York allowed the same gungho group to demonstrate a proposed drug abuse "communication" program for schools, but found it too closely akin to the sponsoring movement's program. Requests from a gungho group for access to inmates of prisons have been refused in Ontario, but the same group operated in British Columbia prisons with provincial government approval for several years.

Payoffs for the movement in the operation of gungho groups are several. Publicized involvement in what seem to be programs of community service polishes its image. Its name linked with prominent citizens or being recognized in some way by a government department also enhances its claim to respectability. And in gungho groups that provide rehabilitative counselling, clients can be exposed to the

movement's philosophy and practices and can be recruited to membership.

SECURITY

Critics of movements in this study say paranoia is regularly found in cults, sects, mind development groups, and new religions. However, beset from the outside by parents, legislators, media, ex-cultists, and deprogrammers, the groups need not be paranoid to feel that society generally does not love them well. At the least, they feel misunderstood, and many feel persecuted. Complementing this sense of external persecution is a perpetual concern about backsliders, malcontents, and fifth columnists within their ranks. These factors appear to have caused many groups to be preoccupied with security.

The nature of the groups' response to forces that threaten their security varies widely. One extreme involves one or two movements that have not been identified in the public mind as part of the "cult phenomenon." They have achieved images of respectability, perhaps as offbeat but legitimate educational or therapeutic forces and can afford virtually to ignore the few disgruntled former followers or obscure academic critics. At the other extreme, another group considers security as a fetish and dissension and criticism as high crimes. This group has devoted a major part of its considerable human and financial resources to an elaborate security program, conducted by one of the most

powerful offices in its complex organizational structure. More will be said later about the functions and activities of this office. But many groups in this study are neither so immunized against criticism as the former movements nor as methodical in their self-protection as the latter.

Methods to Crush Doubts

Most groups foster sentiments and employ techniques among their members that may not be designed for the purpose but function internally to stifle dissent and maintain unity. At the same time, they insulate members against external distractions and faith-shaking influences. Many of the means that serve these ends -- including encapsulation, peer pressure, and envelopment -- already have been described. It remains only to note that they reinforce the member's sense of belonging to a loving community and of being one of the chosen. Doubts and backsliding are seen as manifestations of limited consciousness or satanic influences, which could lead to personal damnation and betrayal of the group.

But if these are not sufficient influences to maintain internal discipline, some movements have additional mechanisms. For example, a Toronto-based mind development group whose "arena" sessions were described earlier can spring one of these confessionally-oriented confrontations on an errant member without warning and press for recommitment to approved belief and behaviour. Another Toronto group, a quasi-religious movement, maintains an "interview committee" that periodically questions each member to give what an official

described as an opportunity to "pause and really examine his own experiences." In this group, as in others, it is also common for clusters of the faithful, acting on instructions or voluntarily, to descend on a backslider and attempt to urge him back into accepted paths.

Restrictions on Outside Contacts

Several groups also minimize the effects of external influences on their members by inhibiting their contacts with family and friends. Adherents may simply be too deeply immersed in a movements' recruiting or fund-raising activities or too consumed by their pursuit of the Ultimate to participate in familial or other social contacts outside their groups. Some movements seem purposely to seek to drive a wedge between members and their families or former associates. The former staff member of the mind development group told the study that its leader impressed upon students the notion that people "out there" would try to crush their new beliefs and life choices. She said the theme at the group's advanced week-long courses, where students were harassed into "confessing" hatred or incestuous feelings for parents or other relatives, was decidedly anti-family even though members were told not to alienate their families. Several members also told the study they were harshly berated and made to feel disloyal if they continued to see friends from outside the group. In an Eastern group, which acknowledges it is a cult, regular members may remain in contact with families, but those who become monks must renounce their past, including families, and leave their home countries.

In another group, a quasi-religious movement that originated in Ottawa, parents of several members received markedly similar letters at about the same time in 1977 from their children. The members said they were writing to say goodbye and that their parents were not to try to contact them again. (It should be noted that this policy subsequently was reversed and many of the adherents who had written, later visited their families. It should be acknowledged that friends and relatives of some groups were invited to visit and perhaps even stay in communes or residences these groups operate.) In a few instances, especially when the groups feared that families of members planned a deprogramming or similar action, they hid members or moved them to other, undisclosed centres.

But groups claim external threats have become more menacing. Parents and deprogrammers attempt to snatch followers; journalists infiltrate, expose, and attack groups editorially; legislators press for governmental action against them; and police sometimes intimidate them. As well, former members, anti-cult activists, and experts mount podiums and publish papers to decry them.

Facing assaults, many groups have opted simply to maintain a low profile. They continue to conduct introductory programs, occasionally on university campuses, but lack of funds or following results in little activity. A group, which grew out of the Jesus movement in the U.S., has not been heard of at all recently in Ontario and

may have moved elsewhere, taking along its following from this province.

Groups Fight Back

A few others have employed more aggressive strategies. Former members, parents, deprogrammers, journalists, and others, who have attacked them, often have become targets of retributive action. An Ontario woman, who had gone to the media in an effort to get a relative out of a Quebec-based religious group, received abusive letters. Many of the letters were from remote places, alleging that she was mentally unstable. But, the group ignored a Quebec sessional court order to turn the complainant's relative over for psychiatric examination.

A former staff member of a mind development group in Toronto said that after leaving, she was defamed as being mentally unstable among friends in the group. Other former members of this group, who complained about their experience to the media as well as media people who publicized their complaints were subject to law suits filed by the movement. Parents of a member of this group were involved in a year-long legal battle with the group after their daughter filed suit against them for allegedly beating her during an argument over her membership. The group supported the daughter in the lawsuit.

Law suits against parents and deprogrammers, alleging that they had kidnapped and falsely imprisoned group members for deprogramming, have been undertaken in

the U.S. None of the movements in this study have taken action so far. Members of Ontario groups who have been the subjects of unsuccessful deprogramming attempts have made sworn statements regarding their experiences, which the groups have used in subsequent publicity and submissions to various authorities.

To protect themselves against the inroads of deprogramming, some groups counsel members on how to react if forced to submit to it. The movements and their allies also have tried to discredit deprogramming by circulating a document entitled "Deprogramming: The Constructive Destruction of Belief," which they claim is a manual on the subject written and printed in England. The document espouses some shattering techniques, but there is a substantial body of informed opinion questioning the authenticity of its content and source. Cabinet Ministers have received copies of the manual in a manner that made it seem that deprogrammers sent the manuals in an attempt to seek government support of their practices. And it has figured prominently in conferences against deprogramming, particularly the one held at the University of Toronto in 1977.

Attempts to Undermine Study

A document of another kind turned up in Hamilton in the summer of 1979 when a television station received a "newsletter" supposedly from a newly-established anti-cult organization. The crudely written document contained

statements that no organization would make publicly unless it were bent on self-destruction. In addition, it falsely linked the anti-cultists and the Study into Mind Development Groups, Sects & Cults.

That was not the first indication that one or more of the movements considered this study to be a potential threat. Members of the study team already had received numerous telephone calls from persons who, posing as freelance journalists, asked about study personnel and the direction the research was taking. Staff members also found that questions about their personal and professional lives had been addressed to friends, relatives, and close associates by telephone callers or letter writers. Letters hinting at questionable attitudes or conduct of staff in matters of human rights were sent to the study offices. Additionally, at least two groups assigned members to seek interviews with the study and to pose as ex-members of the group, and to respond in a positive fashion about the group when asked questions by the study. The study also received reports that someone falsely claiming to be a member of its staff had called various churches for their views on several issues.

Augmenting these techniques, groups also have enlisted members in campaigns of letter-writing to legislators, conducted public demonstrations, and filed briefs with governments to declare their own legitimacy and protest their alleged victimization by police and other

authorities.

Gungho Groups and Security

For all the energy and ingenuity some groups expend on safeguarding themselves against dissent and criticism, none can hope to rival the international religious movement that fosters gungho groups as a route to world government. The fertile mind of this group's founder has given rise to a security operation within his movement, that literally has challenged governments in its efforts to protect the organization. Its intelligence gathering on enemies rivals many major police forces.

It is not without some justification that the leader boasted in a 1974 newsletter to members: "There isn't a more Successful Network...This is said without reservations whatever. This doesn't mean just in (the movement). Possibly in the dim reaches of history there may have been an activity that was as successful, but if so, then I don't know about it."

In 1966 when announcing the consolidation of security operations under one office, a Canadian branch of which was opened in 1973, the leader said its purpose was to help him "enforce and issue policy, to safeguard (the movement and its members) and engage in long term promotion." The key words in that description, for current purposes, were enforce and safeguard. To enforce policy within the movement, the office oversees financial management and other administrative activities. However, it also has

allegedly violated members' privacy and subjected them to various forms of blackmail, intimidation, and harassment. To safeguard the movement against attack from outside and protect its public image, the office conducts public relations campaigns of which gungho groups are an integral part. However, documentary evidence recently seized by authorities in the U.S. reveals that the group has resorted to extensive litigation, smear campaigns, infiltration of public and private agencies, and theft of documents.

Former members say the organization maintains extensive files on adherents, including negative aspects that might be used to intimidate them into silence, and to generally keep them in line. Embarrassing or even legally incriminating bits of biographical data may have been volunteered by a member during what he considered a confidential session of pastoral counselling. It may have been divulged while the member was undergoing processing in one of the movement's courses and took what the group calls a "security check." As outlined in a 1961 policy letter from the leader, the subject of a security check answers 163 questions, the replies to which are judged true or false according to the way his skin reaction registers on a previously-mentioned device similar to a lie detector. The check covers psychiatric histories, deviant sexual practices, law-breaking, associations with Communists, and negative attitudes toward the movement or its leader.

Group Discipline

Members, who contemplate contravening the group's policy, it is claimed, also run the risk of being declared a "suppressive person". Anyone declared an "SP" is ejected from the movement, denied any further processing, and no member of the movement is allowed to associate with him. Threat of expulsion can be serious to members who are ambivalent about the group and may object to its administrative practices but want its processing. If, as frequently happens, the member has immersed himself in the life of the group to the exclusion of familial and other social contacts, being cut off from other members can be additionally traumatic.

Perhaps the most extreme measure the movement ever implemented in the name of internal security was its "fair game" policy, initiated in 1965. Under this policy, an "SP" could be "deprived of property or injured by any means by any (members of the movement) without any discipline of the (member)." The policy said the "SP" could be "tricked, sued or lied to or destroyed." In 1968, however, the leader issued a policy directive stating: "The practice of declaring people FAIR GAME will cease... It causes bad public relations." Nevertheless, it is alleged by former members that the practice still continues.

Another set of punishments for staff members considered to be in lesser states of disfavour with the movement also had been enunciated. A 1968 policy letter

said staff members in a state of "liability" were to receive the punishment of "suspension of pay and a dirty grey rag on left arm and day and night confinement to org premises." The punishment for "treason" was "suspension of pay and deprivation of all uniforms and insignia, a black mark on left cheek and confinement to org premises or dismissal from post and debarment from premises."

Dirty Tricks and Enemies

In its handling of criticism from outside its ranks, this movement takes much to heart the military maxim: The best line of defence is attack. The rationale for this approach was expressed this way in a 1968 article by the leader:

...this is a technical fact...Every time we have investigated the background of a critic of (the movement) we have found crimes for which the person or group could be imprisoned under existing law. We do not find critics of (the group) who do not have criminal pasts...And we have this technical fact...And we handle opposition well only when we use it.

The manner in which the "fact" could be used had already been spelled out by the leader in 1966 in these instructions to his "orgs":

Locate the source of an attack on us...Investigate it...Expose it with lurid publicity. Remember, CHURCHES ARE LOOKED UPON AS REFORM GROUPS. Therefore we must act like a reform group. The way to seize the initiative is to use our own professionals to investigate intensively parts of the society that may attack us...If we do this right, press, instead of trying to invent reasons to attack us will start hanging around waiting for our next lurid scoops.

It appears that the movement's security apparatus has followed the leader's prescription faithfully. As chief sources of attack it has identified: psychiatrists and other mental health professionals who assail the movement as a threat to mental health; international and national police forces that have investigated the group's activities; former members who have bolted from the movement and attempted to discredit it; and journalists in whose work the group has been drawn into question.

In the investigation of enemies of the group in Ontario, it is claimed that members of the movement have infiltrated provincial government departments and offices of the Canadian Mental Health Association; attempted to steal documents of a hostile former member from her lawyer's office; and posed as movement defectors in order to get information from various sources. In the U.S., nine members of the group were found guilty recently of infiltrating and breaking into government offices as well as electronically bugging an Internal Revenue Service meeting. It has also been alleged that the group engages in smear campaigns, character assassination, and the creation of false rumours to discredit its enemies and troublesome former members.

Crusades Against Enemies

The job of exposing attackers with lurid publicity has been handled, in part, by some of the movement's gungho groups. A commission on police reform, sponsored by the movement, carries on a continuing crusade against the

international police agency Interpol, claiming in document after document that it is an outgrowth of Hitler's Gestapo and decrying Royal Canadian Mounted Police links with it. The same body has purported to document abusive use of police power against itself and other movements and has taken its charges to the media. A gungho commission on human rights wages the movement's unrelenting fight against psychiatry and traditional mental health services. In news releases, briefs, and letters to governments, the group perpetuates its claim that the Canadian mental health field is permeated with Communists intent on subduing the West through drug therapy, psychosurgery, and electroshock treatment.

A somewhat less traditional but perhaps even more attention-getting attack on an enemy was a mock funeral the movement held in front of the home of some Ontario defectors for whose "lost souls" the members said they were praying. A former member also has reported calls being made to acquaintances, ostensibly by a credit investigation firm, during which innuendos about irregularities in the defector's private life were made. Similar calls were reportedly made to his employers.

But the movement has not relied exclusively on exposing its opponents' allegedly lurid pasts to quiet them. Another of its favourite tactics mentioned earlier, is to silence them with law suits or threats of law suits. As the leader advised in one of his policy letters: "The purpose of the suit is to harass and discourage rather than win...enough harassment on somebody...will generally be

sufficient to cause his professional decease. If possible, of course, ruin him utterly." It is estimated that the group was the plaintiff in almost 40 civil suits filed between 1968 and 1976. The tactic appears to have had some effect; a prominent Toronto journalist told the study so many potential legal difficulties were involved in researching stories on the group that his newspaper decided the stories were not worth the effort.

In 1976, two members of this movement tried to start an operation to uncover anti-cultists. Claiming to represent a new anti-cult organization, they reportedly issued news releases, accompanied by booklets on deprogramming to horrify anyone who might consider it. The releases invited anyone interested in combatting "these evil cultists" to telephone an unlisted telephone number. If the ploy had worked, the pair might have collected many names of committed opponents of the groups, but it was discovered and exposed by a newspaper reporter first.

Postscript on Security

In the wake of the mass suicides and murders by members of the People's Temple at Jonestown, Guyana, in 1978, there has been considerable speculation about just how aggressive groups here could become in their own defence. In the course of its interviews, the study was told by a few people that certain groups have weapons cached. Two persons, one a former member of an international religious group, and the other a former deprogrammer, said adherents of

the former member's movement were counselled to commit suicide if they could not escape a deprogramming attempt. Another former member of a major religious group told the study her car and cars her family drove had been tampered with on a few occasions, presumably to cause accidents. The group she left also is said to have a policy referred to as R2-45 which stands for Routine 2-Colt .45 and means assassination. The group claims it is a joke, but the former member has sworn an affidavit on an earlier occasion, that the policy was to be taken seriously.

CHAPTER 5

DEPROGRAMMING

In mid-summer, 1974, thousands of Ontario residents read in their newspapers about Ted Patrick, a United States anti-cultist who had been commissioned by the parents of a Divine Light Mission member to "deprogram" their 23-year-old daughter. The public was accustomed to computers being programmed, but found it disturbing that the new groups called "cults" actually could program people and turn them into flesh-and-blood robots.

Since that time though, the terms "deprogramming" and "deprogrammer" have become common usage. Canada has seen more deprogrammers, who have answered the call of several Canadian families desperate to "rescue" relatives from the influences of cults, sects, mind development groups, or new religions. But whether the deprogrammer is really a saviour or a devil is a matter of heated debate. While anti-cultists see deprogramming as the only hope of rescuing errant group members from the clutches of evil mind-benders, civil libertarians and many others -- not necessarily friends of the movements -- question whether deprogramming is not mental coercion.

Since deprogramming is so much a subject of controversy, definitions are often judgment-laden. Opponents describe it as a brutal undertaking intended to strip away one set of beliefs and impose another under often illegal

circumstances. To supporters it is a restorative practice designed to free the subject's mind from what one proponent has called the "behavioural chains" of a cult.

Essentially, deprogramming involves an attempt to persuade a member of a movement that his commitment to its beliefs is ill-founded and to induce a return to a "normal" life-style. A person is considered as being programmed when he or she is rendered incapable of any thought other than conditioned ones. Hence, the practice of deprogramming is based first on the assumption that cults or other groups subdue their recruits' rational capacities by deception, hypnosis, drugs, or other forms of mind control. Furthermore, it is assumed that these and other influences are maintained by the group to "enslave" the member following conversion. Finally, it is assumed that since the member's mind is "enslaved" and deprived of capacity for rational choice, the member may resist emancipation. Therefore, among at least some deprogramming advocates, some degree of force is considered justifiable.

Patrick Was Pioneer

In one form or another, deprogramming probably has been practised since it was first discovered that mankind was capable of different patterns of belief. The Spanish Inquisition was unquestionably a form of institutionalized deprogramming. But in contemporary terms, it is the creation of Ted Patrick, a 50-year-old former community relations specialist with the state of California. In 1971, Patrick said he conducted his first deprogramming on his

14-year-old son, who had become involved with the Children of God. He said he then infiltrated the group himself and barely resisted being "brain washed" during a four-day stay. However, he emerged a militant anti-cultist. In the ensuing eight years, he said he deprogrammed almost 1,600 persons.

Patrick inspired many others who have become deprogrammers or at least participated as aides in deprogramming in the U.S., Canada, and parts of Western Europe. However in 1975, a Protestant woman publicly alleged that he had abducted her from a Roman Catholic commune in Canada and attempted unsuccessfully to deprogram her. Subsequently Patrick was barred from Canada by federal authorities. By then, however, Canadian deprogrammers and advocates of the practice had begun to emerge.

Deprogrammers

It is difficult to determine the number of deprogrammers in Ontario. Many practise only intermittently as time permits and demand requires. Canadian deprogrammers also tend to keep a low profile and shun publicity, largely because of the controversy surrounding them and the threat of harassment, legal and otherwise, by the groups. Still, it appears that there are few deprogrammers actually resident in Ontario. Even an anti-deprogramming submission to the study by a group, highly active in the gathering of such intelligence, listed only two Ontarians as deprogrammers. An Ontario man, who says he is a former deprogrammer, told the study he was one of only three full-time deprogrammers in

Canada, although some former cult members or their relatives serve as aides here and in other countries.

It is clear that deprogrammers and their aides come largely from three identifiable categories. Many are former members of cults, sects, mind development groups, or new religions. They either became disillusioned and left or were deprogrammed themselves. The anti-cult zeal of these people often is fed by feelings of bitterness, betrayal, and embarrassment. Other deprogrammers come from the ranks of close friends or, like Patrick, relatives of members or former members of the groups. These people frequently are exercising anger over what they believe the groups have done to them and those they love. A few are persons with what might be called a third-party interest. They may include clergymen, journalists, and academics whose concern may have evolved out of an earlier professional involvement.

For those interested in deprogramming, the fees vary. The former Ontario deprogrammer, a biblical expert, said he conducted 100 deprogrammings in 19 countries and charged \$1,000 plus expenses as a standard fee. He finally went broke and was forced to leave the trade. Patrick said that his costs normally range between \$3,000 and \$4,000 and he may clear \$3,000 on a case or lose \$6,000.

Violence is Used

All deprogrammings have a common objective and the fundamental technique is argument. The deprogrammer

debates the validity of the movement's doctrines and practices with the devotee. If deprogrammings were always just intellectual encounters -- as many deprogrammers claim theirs to be -- there could be no controversy. However, they frequently have engendered violence, kidnapping, involuntary restraint, and various other abusive and anti-libertarian practices.

In most cases, a deprogramming begins with deception. The subject is not likely to submit willingly to an assault on group beliefs, group members, or the group leader. So, the subject often is duped into going to the site of the deprogramming and may be abducted by people hired by the deprogrammer. When the process has involved violence, it often has been against other members of the movement, who are with the subject at the time of the kidnapping. As Patrick has said: "The Lord helps those who help themselves -- and a few little things like karate, mace, and handcuffs can come in handy." For example, an Ontario woman, used a chemical spray on two members of her son's group in order to separate him from them when he was lured home for a deprogramming.

Deprogramming Techniques

The process may take from four to five hours to many days, depending on the strength of the subject's resistance. Family members are usually present, and if the subject attempts to escape, it may be their responsibility to restrain him. Frequently windows are barred and doors locked. In any event, the subject is not allowed to leave.

As indicated earlier, the basic content is debate. Usually armed with a thorough knowledge of the subject's group and, often, with a capacity for biblical quotation and exegesis, the deprogrammer attempts to demonstrate flaws in the movement's theology and inconsistencies between its credos and practices. The deprogrammer frequently will enlist former members of the subject's movement as aides. Patrick has been said to use tape-recorded recantations transcribed by movement dropouts.

Many subjects have been counselled by their groups in how to resist deprogramming or may simply resist out of defiance. They may remain silent, they may chant, and they may attempt to meditate. In many instances, the subjects of deprogramming are reportedly allowed little sleep during the ordeal. In some cases, they and their movements are subjected to extremes of verbal abuse. Symbols of their movements, pictures of their leader, and documents they hold sacred may be profaned. In his biography, Let Our Children Go, Patrick told of a session in which he cut the topknot of hair off a Krishna devotee's head and tore up a picture of Swami Prabhupada, swearing all the while.

The former Ontario deprogrammer told the study he had worked with Patrick and believed that much of Patrick's inflammatory talk was "shall we say, embellishing some of the facts, perhaps." Still, he said: "I'd say our styles are completely different...We have the same basic aims, I suppose, but our philosophy, our methodology would vary considerably." Elaborating on what he described

as two basic but distinctive styles of deprogramming, the former deprogrammer explained:

I used to characterize what I did as 'soft deprogramming'. I know individuals who do use what I call the arrogant approach. 'You've got to be kidding! How can you believe that crap?' You know, that sort of thing...I tended to stay away from that. Yes. I believe it's effective to a certain point, but I also believe that there is a large drop-off rate sometimes because it is not based on intellectual understanding...It is based perhaps on intimidation, perhaps more accurately, forceful persuasion in the sense that a very charismatic individual can persuade someone that his point of view is right. But take that forceful individual, that charismatic individual out of the situation and the (subject of the deprogramming) is left hanging. If the (subject) makes the decision based on facts...then the deprogrammer or whatever you want to call him is not necessary to that individual to maintain his own personal integrity.

"Successful and Unsuccessful" Deprogrammings

Whether it is attributable to an arrogant approach, deprogramming does not always work. Many subjects have undergone a relapse and returned to their movements after a time. Some claim to have been able to feign the results their deprogrammers expected and escape when their captors' guard was down. But then, what is an example of a "successful deprogramming?" A Toronto woman who underwent one described the experience this way:

...It took about five hours. Around nine o'clock he started and about 2 a.m. I broke. I remember the breaking feeling was like a release. I know I felt happiness, which was unusual because I was so terrified of succumbing to them (the deprogrammers) and what it would feel like to be a defector from the group. I was so terrified; we were told (by the group) that if we left, we would turn into a frog. Not instantly, but when we died...we would be reincarnated into a frog...I remember after I was deprogrammed, I saw (a clay figure of a frog) and I hollered...I started to laugh. I was able to laugh.

Frequently, a deprogramming is followed by a recuperation period during which the subject is sent away from home under care of a parent, relative, or even a deprogrammer's aide. The subject is removed from the environment in which he was recruited until he has fortified himself against rejoining the group.

Occasionally this ploy has backfired; subjects, who feigned being deprogrammed or whose deprogramming was only partially effective, have taken advantage of the recuperation to escape and return to their groups. One Toronto youth, who was taken to Europe by a chaperone, disappeared entirely and his whereabouts remain unknown to his family.

Physical Coercion Questioned

For many reasons, then, deprogramming involving physical coercion is a practice which many anti-cultists including parents, have questioned. Some activities commonly associated with it are not only questionable but clearly illegal. Indeed, the former deprogrammer from Ontario admits to having participated in cases where subjects were illegally abducted and detained against their will. Yet, insofar as the study was able to ascertain, few court proceedings arising out of a deprogramming have ever been initiated in Ontario.

In the U.S., Patrick has been prosecuted numerous times. Some prosecutions have resulted in jail sentences. However, as often as not, he has won acquittal. His defence

in these cases has involved the "doctrine of justification." He has argued that while he did commit the offences with which he was charged, he was justified in doing so since parental interest rendered his otherwise illegal action legitimate.

U.S. courts also have dealt with the process in specific cases under conservatorship laws. Under these laws, parents or others close to members of various movements have claimed that the members were incapable of managing their own affairs. In some cases courts have ruled against the party applying for conservatorship frequently ruling that cult membership did not necessarily demonstrate incapacity. In other instances courts have granted governance of the members -- that is, conservatorships -- to the applicants. In many of these cases it has been clear that giving effect to the conservatorships would entail a form of deprogramming.

Deprogrammers Are Referred

But how are deprogrammers contracted? They clearly cannot advertise, instead most of their commissions come through referral. The former Ontario deprogrammer explained how it might work:

OK, your son Johnny joined a group. You read an article in the paper about a year ago about someone whose son was in that group, so you call him up and you say: 'My kid has gone off and joined, and you're crying your eyes out.

The parent will probably get together with you and try to decide whether you are for real or whether this is on the line. He will put you in contact with some other people who he got in

contact with when he needed help. So that somebody else says: 'Give us your number and we will have someone call you.'

Then they would call me and say: 'We have somebody who has a kid in (a group) and it sounds legitimate. So I would call you and we would talk about it if I felt you were for real. I would set up a meeting with you and ask you to prepare a biography of the kid.'

Alternatively, an inquiring parent might be put in touch with what has come to be known as the anti-cult network. A largely U.S. phenomenon, it has begun to spread into Canada as well. During the last year, an organization called the Council on Mind Abuse (COMA) was founded in Toronto by former members and critics of the groups. COMA describes itself as committed to education of the public about the negative aspects of the groups. Another body, the Cult Information Centre, had begun operation earlier in Montreal. The declared purposes of these organizations and their U.S. counterparts include spreading information on the movements, fund-raising for anti-cult efforts, and lobbying for anti-cult action. There was no evidence to indicate that the Canadian organizations had ever counselled anyone regarding deprogramming. Some parents of group devotees told the study it had been suggested to them that they contact members of anti-cult organizations for assistance. The former Ontario deprogrammer, referring to U.S. organizations, said: "They generally act as the channels for this kind of thing, so there would be two or three people who I could put (parents) in contact with there."

The study was told that on occasion policemen, acting unofficially, also have referred distraught parents or relatives to sources whom they knew could advise on deprogramming. The former Ontario deprogrammer said he had cases referred to him by reporters who had written about his work.

CHAPTER 6

THE DEBATE

A slight young man, peering distractedly from under the visor of a baseball cap, spoke haltingly of his search for "peace of mind" in an Eastern religious movement. He was a 27-year-old graduate of chemical engineering described by his mother as brilliant. Yet, in an interview with the study, each question he was asked was followed by a long silence as he struggled to bring his intellect to bear on it.

By contrast, a former school teacher, an attractive and smartly-dressed woman in her mid-20s, spoke fluidly as she described her finding "oneness with God" in a new religious movement originating in Toronto. Looking like a young rising business executive, she was poised and self-confident in answering questions.

Whether the personalities these two persons presented to the study were to any extent products of the experiences in their movements could not be determined in a single conversation. On the surface, each fits a stereotype, perpetuated by one side or the other in an increasingly hostile debate about cults, sects, mind development groups, and new religions. The young man, battling to order his thoughts, appeared to personify the zombie-like characterization of a cult member so often cited by critics of movements. The former school teacher, radiating self-

possession, seemed a walking demonstration of the inner peace groups say they bring to members.

The debate involves vested interests on each side enlisting some of the most potent minds and respected personalities from the fields of medicine, theology, psychology, the law, philosophy, and sociology. Yet, it continues to be a controversy in which minds meet more in heat-generating conflict than light-producing discourse. On one side are the self-proclaimed anti-cultists, who accuse the groups of a broad range of abusive practices, which allegedly enslave members, undermine their mental health, destroy families, and threaten society as a whole. And some forces on the other side, notably representatives of the groups, deny such allegations and portray their movements as bearers of enlightenment. Additionally, they and others, some of whom may even question the groups' beliefs, depict movements as victims of the kind of persecution that classically has been visited upon all religious innovators by societies that had lost touch with man's spirituality.

Are the groups victimizers or victims? The debate unfolds as follows:

THE CASE AGAINST THE GROUPS

Some critics say there are no essential differences among the groups that come within the confines of this study or other movements of their ilk. When shed of the stubborn diversities typologists may find, they all are cults. Moreover,

these critics' definition of the term "cult" signifies an elitist group that engages in deceitful recruiting and mind control, isolates its members from society, severs their relationships with family and friends, and has as its central function the satisfaction of its leader's desire for money, power, or some other form of aggrandisement. To achieve these ends, movements need members with a level of devotion pitched so high that they are prepared to direct every energy to the service of their leaders. It is in the recruiting and maintenance of that membership and the generation of the required level of devotion that the groups allegedly employ techniques that most provoke their critics.

Brainwashing

Perhaps the most commonly-used accusations against movements are that their recruitment amounts to "mental kidnapping" and their conversions to "brainwashing" or "mental coercion." Proponents of this argument begin by acknowledging that many of those who join the movements show no symptoms of clinical illness or unusual emotional instability. They are seemingly normal, often intelligent, people. In encounters with standard persuasive techniques of appeals to reason or arguments from faith, such people would tend to be critical and resist ideas that were strikingly out of keeping with their own interests or sentiments. To critics of movements, the doctrines, practices, and real objectives of groups are starkly out of keeping with members' interests. Hence, to attract functionally normal and intelligent people,

the groups allegedly employ recruitment and indoctrination techniques that are deceptive and mind-manipulative. As Toronto psychiatrist Dr. Andrew Malcolm has said: "The intellect is the enemy and the techniques of persuasion are all designed to destabilize this most vital of all human attributes."

As indicated earlier in this report, recruitment techniques employed by groups appear to vary widely. Yet, critics of movements contend that the differences are more apparent than real. All methods are designed to ensnare recruits' minds before they know fully what membership entails, or in some cases, the identity of the group to which they have been recruited. The result is "mental kidnapping."

A prominent proponent of this argument, Richard Delgado, assistant professor of law at the University of California at Berkeley, analysed the recruitment process in a 1977 article in the Southern California Law Review. He said:

The process by which an individual becomes a member of a cult is arranged in such a way that knowledge and capacity, the classic ingredients of an informed consent, are maintained in an inverse relationship: when capacity is high, the recruit's knowledge of the cult and its practices is low; when knowledge is high, capacity is reduced.

When the newcomer attends his first meeting, his capacity to make rational choices is relatively unimpaired. He may be experiencing a momentary state of depression or suggestibility; nevertheless, his rational faculties are relatively intact, and it could be expected that were he to be given full information about the cult and his future life in it should he choose to join, he would react by leaving. For this reason, the cult keeps secret its identity as a religious organization, the name

of its leader or messiah, and the more onerous conditions of membership until it perceives that the victim is 'ready' to receive this information.

Delgado said the cult makes the recruit "ready" for disclosure of its true nature by a process most anti-cultists call brainwashing. As the process takes hold and the recruit loses capacity for independent thought and evaluation, the reality of the cult is revealed piecemeal. "Thus," said Delgado, "the recruit never has full capacity and full knowledge at any given time. One or the other is always impaired to some degree by cult design."

Lifton's View

While Delgado is quoted widely by anti-cultists in Canada and the United States on the legal implications of movements' practices, the brainwashing concept he and others employ is the product of work by Dr. Robert Jay Lifton, a Yale University professor of psychiatry. Analogizing from studies of brainwashing as practised in Communist China and North Korea, Lifton and advocates of his position claim that messianic leaders have developed techniques of thought reform, which do not require bodily restraint or physical coercion of subjects. Proponents of this view say movements have learned first to minimize external influences on recruits and members and to cut them off as fully as possible from external sources of information against which to test the legitimacy of cult doctrines. This is done without resorting to outright imprisonment. Having been insulated, the individual is then immersed in the group's "sacred science." This is a system of belief, revealed by the leader, and constitutes

the movement's vision of ultimate truth and the avenues of attainment. Accompanying this vision is a special language with its system of terms, images, and forms of expression, unique to the movement. It is in this language that reality and the individual's relation to it are expressed.

As well, the group stimulates and manipulates the recruit's capacity for guilt. "Inner doubts about even the most bizarre cult doctrine and practice," said Lifton, "are then attributed to one's own evil, the influence of the devil, as represented by the society outside, or in some cases specifically by one's own parents. Control over individual guilt is perpetuated by a variety of small and large group meetings, stressing criticism, self-criticism, continuous confession -- and, at times, public humiliation of those who appear to deviate." At the same time, it is impressed upon the recruit that the movement has a special, perhaps divine, mission that he has been chosen to serve.

Elaborating on this theme, Dr. Malcolm said it is during these sessions that the group employs negative and positive sanctions to wean the recruit away from doubt. If the recruit has resisted and questioned, he will be intensely criticized by devotees and will face the threat of alienation from a group, which initially showered him with love, fed his fragile ego, and promised him security. "Ostracism is hard to take," said Dr. Malcolm, "and most people would rather conform than be utterly and contemptuously rejected. And, we must not forget the prospective convert has probably invested

a fair amount of time, money and energy into his own rehabilitation." On the other hand, as the recruit expresses his acceptance of the movement's credo or recants his satanic past, he is effusively lauded and lovingly forgiven. The more emotion-rending his confessional ordeal, the more immensely gratifying the approval that climaxes it.

Additionally, Lifton said the group and its leader are portrayed to the recruit as the "dispenser of existence." With the group lies salvation; without the group there is suffering, perhaps death. "Only those who have seen the light and follow the true path to virtue are entitled to exist," Lifton said.

Hypnotism

Such techniques alone may be potent mechanisms for "stilling the mind," as critics of the movements say, but groups allegedly go much further. Indeed, groups are accused of employing hypnotism. Critics contend that groups in various ways induce trance-like states or altered states of mind in which the subjects willingly embrace their bizarre credos and do their leaders' bidding.

Under one of these mind-altering formulae, the recruit is denied sufficient rest and is subjected to an exhausting routine of work and exercise. The recruit's senses are bombarded by singing, dancing, drumming, and chanting, and he is not allowed privacy or time for independent thought. As well, he is bathed in affection or "love bombed" by perpetually smiling devotees. Dr. Malcolm explained that the recruit's

"blood sugar is low. He is fatigued both mentally and physically and he has been so relentlessly stimulated by the high pitch of the proceedings that even his hormonal balance has been threatened. He is, after several days of sensory bombardment, in a decidedly vulnerable and unstable state of mind."

Alternatively, the recruit may be induced to participate in practices resulting in sensory deprivation as opposed to over-stimulation. He may be led into a regimen of meditation and be required to empty his mind of extraneous content and centre it on the object of faith. Or he may be guided through a process that more closely resembles the common view of hypnosis. In this process, an instructor leads him down through descending levels of consciousness and requires him to count backward or indulge in similar exercises. To the subject, the result is a mystical experience. He may sense his being merged with some cosmic entity or his spirit separating from his body. Critics, however, explain the resulting experience as a manifestation of abnormal brain activity stemming from the inhibition of the higher nervous system.

Sargant's View

The manner in which these allegedly hypnotic practices may work on the brain has been described by British psychiatrist Dr. William Sargant, an authority whom critics of movements tend to cite. Dr. Sargant has written that as a consequence of either sensory deprivation or over-stimulation, changes in brain function may occur which alter the

way the brain receives and records information about the environment.

The brain passes through a series of phases, which are manifested initially in the subject responding with equal emotion to major and minor turns of fortune. Then the balance tips and he appears to react more strongly to minor emotional stimuli than major ones. Eventually, the brain enters what Sargant calls an "ultraparadoxical phase" in which the individual hates the people and life he once loved and comes to accept people and ideas he formerly would have rejected. At the same time, the brain enters a hypnotic state in which it no longer critically analyses impressions it receives by comparing them to information it has stored about previous experience. "New ideas," said Sargant, "can then be accepted and believed in which are totally at variance to all the individual's other past and present experience and belief. The two sets of contrasting ideas and beliefs then seem able to co-exist together in the brain for sometimes years and years on end."

During the course of the study's interviews, several former members of various movements said they believed they had been hypnotized. Ex-members of one mind development group felt they could pinpoint the occasion when it first occurred. They felt it was during a four-day course when the leader ostensibly took them down through successively deeper levels of consciousness. Having them recite rainbow colours backwards, the leader reportedly instructed them during that time to heed

no voice other than his. Other interviewees were unable to cite occasions when what popularly is considered a hypnotic situation was so clearly constructed. However, they felt they could not have been induced to participate so unquestioningly in their groups if they had not been hypnotized.

Clinical Hypnosis View

Is hypnotism possible without counting backwards, swinging pendulums, loss of consciousness, trances or any of the other manifestations one normally associates with it? Is hypnotism capable of making people do things they would not normally choose to do? According to Dr. George Matheson, a spokesman for the Ontario Society of Clinical Hypnosis, it is. In a brief to the study, Dr. Matheson said:

Hypnosis is grossly misunderstood and many of the common beliefs about it are quite erroneous... Hypnosis can accurately be described as a special state or sense of consciousness, distinct in some ways from the normal waking state. However, it does not involve a process of 'going unconscious.' The individual is usually aware of events happening around him and not aware of being in any unusual state. Amnesia for events occurring in hypnosis is also not the common occurrence... Responsiveness to suggestion, a cardinal feature of hypnosis, is also seen as a natural event without the presumed pressure or lack of control. The act of post-hypnotic responding is subject to the influence of 'trance logic' so that in retrospect, the individual can unconsciously rationalize the act so that it may appear to make sense and not appear to be due to any hypnotic power... Experienced practitioners and researchers simultaneously insist that one cannot be made to do anything against his will and pronounce loudly the dramatic changing effects of hypnosis.

I think that this paradox can be understood in a simple way by realizing that most people won't do things they think are inappropriate, but may do them if they can be led to believe in their appropriateness. Hypnosis' power may not be so much in its ability to make people do things, as

in its ability to lead people to believe things are appropriate, so that they don't think of not doing them...As such, hypnotic procedures consist of a number of subtle and specialized methods by which an individual's decision-making activities are greatly reduced and suggestions offered are more 'automatically' accepted.

...The stage hypnotist with his elaborate and dramatic approach is the extreme example of this formal method, but clinical practitioners have similarly used ritualistic and announced techniques. However, a subtle and more 'natural' approach to hypnosis has been developed... This amounts to the integration of hypnotic techniques within the ongoing course of events (e.g. clinical interviews, social discourse or educational lecture) so that its effect is maintained but its presence goes unnoticed. The possibility of such an approach shows how hypnosis can be utilized to affect an individual's behaviour without his awareness and with increased likelihood of success ...Particularly when these approaches are continued with aspects of rapport, external stress, perceived threat and isolation, is the likelihood of compliance greatly increased.

After Conversion

Anti-cultists say radical changes in attitudes, loyalties, and thought patterns can occur through the use of brainwashing and hypnosis in a few days to no more than a few weeks. The actual conversion, however, has been described by two anti-cult researchers and authors, Flo Conway and Jim Siegelman, as a sudden mental "snapping," which the recruit experiences at some point in his indoctrination as a momentous psychic breakthrough. To Dr. Sargant, the suddenness of a conversion, especially one that conflicts with the individual's better judgment or previous inclinations, would indicate that it is more a physiologically-induced phenomenon than a matter of spiritual revelation. In fact, Dr. Sargant said: "When a person breaks down during mystical contemplation or is broken

down in mass orgiastic rallies, the faith suddenly created... tends to conform to the beliefs and faith of the group or individual then in close contact with the person concerned..."

Among the more ardent of the critics, converts are described as "zombies," "robots" or "slaves" who have been "mentally coerced" into doing virtually anything in the service of their leaders, no matter what the physical, psychological, or financial cost to themselves or others. Even many of the more moderate of the groups' critics describe the conversion experience as effecting profound visible changes in indoctrinees. Parents, relatives, and friends complain of major personality changes. Many abandon career or academic goals they once considered important. Many are said to alternate between a state of emotional flatness and frantic cheerfulness. Spontaneous expressions of love or affection are reportedly suppressed. Even their appearance is often said to be altered generally because of the debilitating effects of diet change and lack of sleep. And their relationships with family and friends undergo severe strains. Converts also are reportedly incapable of thinking and speaking in complex or abstract terms except those encompassed by the cliches and stereotypes of their movements' special languages.

In his report on a substudy conducted for this project, Dr. Saul Levine of the Hospital for Sick Children in Toronto said: "Many (recruits) become True Believers, only too willing to proselytize and recruit, to spread the Word, at times with messianic zeal. And like those with any other

kind of 'mission', there is an absolute conviction to their beliefs, a reluctance to entertain contradictory opinions, a rigidity and even intolerance of opposing or even different viewpoints." Basing his conclusions on sources, such as interviews with more than 100 "graduates" of various movements, interviews with clinicians, and a review of most of the important literature in the field, he noted that despite each group's claim to uniqueness, "their committed members come across as uncannily similar."

Dr. Levine's observation was reflected in the testimony of many parents and others who described their experiences with members of a wide variety of groups. An Ottawa couple, whose daughter returned home on a visit from a new religious group she had joined, told the study: "You can't discuss (the group) with her at all. Her eyes just become focused and hard. She's totally fanatic. When she does talk about it, it's almost as though she were reading it." A man with a brother in the same movement, said: "When he came to see us, we couldn't discuss (the group). If you broached the subject, there was an obvious switchover...He sent our parents letters but they didn't say anything concrete. And they were totally unlike my brother. He was a jokester, but the letters were deadly serious and spiritual."

Two women, whose son and daughter were members of a spiritually-oriented movement in Toronto, told the study: "They refuse to discuss what they get out of (the group)." One of the women said: "They're like they all were stamped

out of a pattern." And the father of a young man in a Toronto-based mind development organization said: "He's very aloof now...a dramatically changed young man...We couldn't say anything about the group, to him." A western Ontario couple with a daughter who had joined a mystical Eastern movement told the study: "She was a different person. She had abandoned all her objectivity and totally accepted the (group's) doctrine."

CASE HISTORIES

Accounts by former group members to the study about their own recruitment and indoctrination involved strikingly recurrent themes even though details varied from one group to the next. For example, a young Toronto woman described her "conversion" to a mind development group in terms that echoed complaints of peer pressure, hypnosis, and "love bombing" made by former members of other movements. She told the study:

I went to the first course, the four-day course. It started on a Thursday night and I remember walking in and being asked to sign a contract and being quite taken aback by this because you are pressured, there are so many people. There were 80 people in my course...

I then sat through the first night and we were told all the rules, which I wasn't too pleased about. No talking, no asking questions, you only had so many minutes to go to the washroom, etc., etc...And then (the leader) did this lecture...I was not impressed with the man. He came across as a greasy salesman and I was really quite disenchanted.

Then came time for the first cycle -- they call them meditation cycles -- and I thought: Well, this will be interesting...We were told: 'Now, some of you will think this is hypnosis, but it's not'...Then we all relaxed and went into a

cycle and phrases were used...And we were all in a relaxed state. We all had our eyes closed. We were also told that anyone who opened their eyes and did not participate would be kicked out of the course...So, we went down to our levels and we did a reverse count. No, first of all it was reverse colours, the reverse colours of the rainbow with the word 'relax,' 'relax,' 'relax' interspersed and then a reverse count from 21...

And then various things happened and all these phrases stuck out in my mind...(the leader said): 'You respond to my voice at any level of the mind, including the conscious level. You desire it and it is so.' That phrase, when he said it -- and he hadn't told us this at the beginning -- I nearly woke up and said: 'Hey, there's something funny here.' But something told me not to do that because everybody else was all relaxed and nobody else was fighting this. So, again, the peer group sort of pressure said don't do that...

I then relaxed and then, by the end of the cycle when we came out, my attitude had changed slightly and I felt a little more receptive to (the leader). I felt a little more pliable. Not totally, but a little more pliable. We then did two more cycles that evening and, by the end of the evening, at the end of the last cycle, I thought (the leader) really knew what he was doing. The change in me happened in one evening in terms of my acceptance of the man...

There I was, sitting very close with all these people. You know, the chairs are very close together and there is some kind of need being filled at that time for me. So my intellectual disregard for this man was overpowered by my need for friends and camaraderie I think...I accepted (the leader), thought he was a god. I just thought he was a leader, a wonderful man. I was now a loving person. I had all these friends. I had a whole new family. I was really gone after four days...

Although she had started as a doubter and had been somewhat repelled by some of her initial experiences with the group, the woman said she became an ardent advocate for its leader and courses. She proselytized on the group's behalf, paid a tithe estimated between \$2,000 and \$3,000 to a "research foundation" it operated, took further courses,

audited courses already taken, and served as a course aide. Eventually, she said she devoted herself so completely to the movement that she had no time for her career and had to declare personal bankruptcy. Assessing her motivation in retrospect, she told the study:

I feel I was hypnotized...Since coming out of (the group) and talking to a few doctors who use hypnosis, I feel very strongly that I was hypnotized...In (the course) using the so-called meditation cycle, that was hypnosis...The element of choice was removed...Everybody says: 'Well, you could have gotten up and walked out.' Well, that's not true...I had no choice based on the fact that I feel I was hypnotized.

In another interview, a young computer programmer described what he felt was his brainwashing by a U.S. branch of an international religious movement, which has its Canadian headquarters in Toronto. He outlined indoctrination techniques used in Ontario by the Canadian branch and described by other persons interviewed by the study. The young man told of being enticed into going to one of the group's country retreats for a few days:

...on the bus they matched me up with (a member of the movement). At the time it seemed harmless, you know...I was sitting beside this girl and we had these big talks about religion and God and afterlife, heaven and hell. We had a great talk and it carried on all the way through the night until we arrived... I guess I wanted to talk about those things, so it was OK. Still, I didn't suspect at any time that they were a religion.

So, we arrived at 2 o'clock in the morning and walked into this farm. It was dark and we settled down in this chicken coop and we slept on the floor in our sleeping bags...So they got us up about 5:30, 6 o'clock the next day, singing Red, Red Robin. They sing the same song every morning...I'm sure I had about four hours', maybe five hours' sleep that night...we got into this routine. We get up, we go to exercises and we'd exercise and go off

to breakfast. We'd form little groups of eight and sit around and have breakfast and ask really good questions and (have) conversation. Then, after that, one of these groups would have the responsibility of doing the dishes or something and the other people would have something like clean-up chores for an hour or so. Then we'd have lectures until lunch time and then the same kind of thing. We'd discuss the lectures, discuss the questions we had...

...There was talking about concepts of heaven and hell, talking about concepts like God, about justice and punishment and good and bad, talking about certain ways the world is going, evil in the world...It never occurred to me they were a religious group. I don't think I really formed any opinions...

The day just seemed so structured and we just sort of went along with whatever they were offering... We had one hour (of unscheduled time), so usually most of us spent the time showering because we weren't allowed to shower any other time, or there wasn't any time to shower. People structured days so you were doing what they wanted you to do all day long. I don't know. Now I'm not so sure why I was so agreeable, how I fell into it so easily...

...They asked us if we were interested in going to this other place for a weekend course. I don't think they actually said "course"...It all seemed so harmless and it seemed like something I wanted to do...So we said yeah and we jumped in the bus again and drove all night...I didn't feel pressured, but I certainly was pressured, yes. Like, people who said no, I don't want to go, immediately it was: 'Why don't you want to go?' And you had to have sort of a good reason; even all during that week there were a couple of people there who wanted to leave even after one or two days. You know, they weren't interested in what was being offered and they wanted to leave. They made it pretty difficult for these people to leave...A lot of people sort of had a gut feeling that this wasn't right, but they didn't know how to say it or express it...

(At the second location) I wanted to call my folks ...(we were) never alone during phone calls. Well, there was somebody about five feet away...

We'd get up in the morning, have lectures, lunch -- same routine...They seemed to really control their discussions, somehow control what we were

discussing and, for some reason, nobody really came up with questions. It always seemed to be just reaffirming what was said in the discussions...

The young man said a "few days" extended into weeks and a heavily-reinforced sense of community compensated for homesickness and the boring repetitiveness of the regimen. He said he eventually was prodded during telephone conversations with his parents to ask about the identity of the movement and he grudgingly was told. When he finally left the group, he was assisted by outside friends, who had to help him cope with fears that the defection would condemn him and his family to hell. He explained the hold he felt the movement had on him:

All I know is I wasn't able to rationalize any longer. I was no longer able to question and I just sort of accepted everything that was being said and I put 100 per cent of my faith into (his recruiter). I didn't feel really good about that, but it just seemed I had no control... Brainwashing. I guess what I mean by brainwashing is they change your perspective of life. They made me dissatisfied with the world I was in before -- this world. They offered a different world that was very happy, a world that had purpose...I know when I came home, I wasn't able to do anything for myself. I refused to buy any clothing or any personal items for myself. It was only about six months later when I was able to run out and buy a record album. I really felt guilty about buying something for myself.

DANGERS TO HEALTH

When anti-cult authors Conway and Siegelman appeared before the U.S. Senate Information Meeting on the Cult Phenomenon in February, 1979, they echoed a theme that has become a cornerstone of the case against the movements. They

said they believed "the issue being addressed here today is not one of religious or personal behaviour; rather it is a mental health problem with far-reaching medical, legal, and social implications."

Conversion as illness

Throughout the campaign against movements, critics contend that mentally coercive techniques, practised by groups to indoctrinate and hold members, damage minds and bodies in many instances. Toronto psychiatrist Dr. Malcolm said: "The person in the throes of being overwhelmed...may, in fact, come to resemble a person who in other circumstances would be regarded as disturbed."

Harvard psychiatry professor Dr. John G. Clark has said experienced clinicians have diagnosed induced states of "flagrant and classical schizophrenia in many converts." Some psychiatrists, who had treated former members of the Ontario groups, told the study they felt more aggressive techniques, used by some movements, could aggravate tendencies toward mental illnesses, such as schizophrenia or manic-depressive psychosis. At least half of the 28 former followers, interviewed by the study, said they had suffered markedly negative changes in their physical and emotional health after leaving their movements. And media exposés over the last few years frequently have focused on persons who had suffered severe psychiatric problems and required hospital treatment in some cases, allegedly as a result of group practices.

Consequently, the study asked Dr. Levine, a Toronto psychiatrist with extensive clinical and scholarly experience in this field, to examine and assess evidence involving effects of participation in groups on members' health. In a report covering hazards and benefits of group adherence, Dr. Levine divided the movements into those with a psychologically therapeutic orientation that promised self-improvement and those of a more exclusively religious configuration. Of course, several groups have characteristics under either heading, and some criticisms of one class of movements apply as well to movements in the other category. However, an analysis of many group practices and their alleged results suggested that the categories were sufficiently distinctive to warrant separate discussion.

For therapeutic groups, Dr. Levine examined medical charts of 12 patients, who had received hospital treatment for mental problems shortly after participating in courses using variations of encounter group techniques. He also examined reports of similar cases and interviewed clinicians, representatives of various mind-awareness programs, and more than 100 former participants. For movements he classified as more exclusively religious, Dr. Levine used interviews with members, their parents, other relatives, and friends. In addition, he interviewed dozens of former members, held discussions with representatives of several groups, and reviewed the relevant literature. The following analyses are drawn generally from Dr. Levine's more critical findings,

supplemented by conclusions of some of the more prominent authorities in the anti-cult camp.

Therapeutic Groups

A central question was whether negative experiences, particularly those of the "casualties" who needed intensive psychiatric care, could be attributed to their participation in the groups. Acknowledging that many members claim to have benefitted substantially from their experiences, Dr. Levine nonetheless concluded:

Many casualties are still sufficiently well documented to give some cause for concern. While most clinicians would not attribute the cause of major mental illness ...to any of these experiences, their aggravation and precipitation of symptoms has certainly occurred in some cases...At its most dramatic, extremely bizarre behaviour, psychotic decompensation, total loss of contact with reality, suicidal preoccupation and grandiose or other delusional ideation is seen.

But much more common among negative experiences are lesser psychological disturbances, which do not result in hospitalization but may lead to professional care. Symptoms of this kind of problem include insomnia, depression, fear, memory loss, paranoia, extreme tension, disorientation, spontaneous crying, and lethargy. Dr. Levine said the number of reported damaging experiences is probably far smaller than the number that actually occurs. "Most of those with difficulties would prefer to forget and, certainly, not get involved in public criticism, litigation, and conflict with a group they may even fear at some level." Additionally, he said the relative infrequency of such reports occurs partially because of the inability of those with problems to

accept that they invested time, energy, and money in worthless experiences.

Among the major factors that appear to contribute to disturbances experienced by members of these groups are the format and leadership of their programs and courses. As described earlier, some movements subject members to bear-pit or "arena" sessions in which confrontation tactics are used to break down participants, who are considered rigid, repressed, or resistant. The confrontation usually occurs in front of other members and has the quality of an inquisition leading to a cathartic confession of real or imagined sins. These experiences can be so powerful that the person often can be led not only to admit to accusations of aberrant behaviour but frequently can be made to believe himself guilty. To intensify the effect of such programs, some groups also limit participants' freedom; take watches and car keys; draw window blinds; control diet, sleep and toilet schedules; and even employ minor physical violence, such as pushing and shoving.

Obviously, such procedures can be stressful and frightening to some persons, Dr. Levine said. Even verbal abuse, especially in a group setting, can precipitate "an acute intrapsychic crisis." "A vulnerable group member is in a dangerous situation when he or she perceives relentless criticism and attack from the leader and this is 'validated' by the other group members, when he or she feels rejected and even ostracized by the group, and when the pressure is

unrelenting for hours on end." He added that "even if the group allows the member permission to drop out, this is easier said than done. The structure and dynamics of the group are such that to leave implies failure, humiliation, shame, guilt, fear, and confusion. The freedom to leave becomes a meaningless sham because the individual wants to leave but can't because of the pressures."

The damaging aspects of such confrontational programs often are complicated and intensified by damaging styles of leadership. In a study widely cited by critics of such groups, two U.S. psychiatrists, I.D. Yalom and M.A. Lieberman, have developed the term "aggressive-stimulators" to describe destructive leaders. These leaders are characteristically highly charismatic, authoritarian, and challenging. They not only browbeat members themselves, but serve as models of behaviour for others in the group who imitate often clumsily their destructive actions. Ideally, when the subject of a confrontational session reaches a critical mement, leaders should steer the group into supportive responses. Aggressive-stilumlators often do not see themselves as controllers, said Dr. Levine. Instead, they operate according to the current ethic of "let it all hang out."

Decompensation

A confrontational format and aggressive-stimulator leadership -- introduce a susceptible personality into that blend, and the product is a formula for highly probably mental

disturbance, perhaps breakdown. Predictions of who will become a casualty under such circumstances are far from certain. Clearly, those who are seriously disturbed at the outset are likely candidates for breakdown or what the psychiatric profession refers to as decompensation. But such cases are a minority among reported casualties. Still, Dr. Levine was able to identify some characteristics for probable decompensation.

An analysis of reported casualties suggested that those who were most vulnerable include individuals with "unrealistic, even magical expectations" of what the group experience would do for them. Many of these people had "rigid" personalities and could not bend to achieve the kinds of changes the group promised. Consequently, they felt totally discouraged and more helpless than ever about the kind of personal growth they felt they needed. Another important contributor to decompensation was low self-esteem. Instead of having their self-regard improved, for many the experience within the group served to affirm their low opinion of themselves. "It is indeed difficult," Dr. Levine explained, "to withstand attack or even a feeling of being a minority of one in an intense group experience unless one has a secure sense of self." Recent personal crises, perhaps the death of a loved one, the breakup of a marriage, or a professional setback, also appear to have made some group members vulnerable and to have generated in them feelings of undue anxiety, depression, or just general malaise.

No Screening, Followup, but Promises

Critics contend that since these and other factors could result in psychological damage, one might expect that groups engaging in confrontational techniques would exercise special care in determining whom they subjected to what stresses. Yet, Dr. Levine concluded that many group leaders are neither trained to recognize nor are they naturally sensitive to signs of vulnerability. Other observers say the staff of such groups are usually no more capable than the leaders in this regard. Psychological screening of applicants for programs is minimal and ineffective, and ready recourse to qualified medical advice or care is seldom, if ever, available. Even so, Dr. Levine noted that "leaders often go through the identical ritual of group process and procedure without due regard for individual and group differences. To impose the same theoretical and clinical approach to all clients irrespective of personal needs, personality, and context is both ludicrous and destructive." Echoing the complaints of several clinicians interviewed by the study, Dr. Levine added: "Virtually none of these groups engage in meaningful followup...to see the effects, if any, of the group experience during an ensuing time period."

Along similar lines, several clinicians have expressed concern in interviews with the study and published articles about claims by some self-styled therapeutic groups that they can improve members' physical or mental health. Among groups that have come under attack in this regard is an international meditation movement that says practitioners of its techniques

can achieve "perfect health." Another is a mind development group originating in Toronto that says students have been taught to focus a mystical "white light" on ailments and cure them. Still another, an international religious organization with a professed antipathy toward psychiatry, markets courses that it promises will clear the mind of psychologically disturbing memories. A Toronto psychiatrist told the study he was concerned that these and other movements were holding out a "spurious hope" to people in need of medical care and deflecting them from what probably would be better forms of treatment. But another Toronto psychiatrist said he was disturbed that some groups were influencing members not to remain in conventional forms of treatment.

Lack of Professionalism

Dr. Margaret T. Singer, a psychology professor, and Dr. Louis West, a professor of psychiatry, both at the University of California, warned that non-professionals dealing with troubled individuals in such groups may misunderstand, ignore or mask psychiatric symptoms. They have written that:

Symptoms may even be temporarily relieved but to the dangerous neglect of progressive underlying pathology, organic or functional...Ruthless cult leaders and venal quacks may offer psychiatric benefits in the cynical knowledge that they are perpetrating hoaxes, swindles or 'scams.' But there is a tendency even among sincere non-professional mental healers to assume that their methods possess wide or universal applicability and to offer them to all comers with uncritical enthusiasm. Many of them assume that anyone is bound to benefit from their procedures, regardless of the sufferer's specific complaint.

Singer and West said responsible practitioners recognize

that any course of treatment implies risk and may cause undesirable reactions in some patients. Therefore, therapists must be able to recognize the signs and be willing to curtail or modify the treatment if necessary. "The person seeking help often expects such capabilities and responsibilities to be exercised by amateurs, quacks, cult leaders, gurus, faith healers, and other non-professionals just as though they were physicians," said Singer and West. "However, this expectation is unlikely to be justified."

Another concern about a lack of professional training among leaders of therapeutically-oriented groups has also been voiced. This concern involves the use of hypnotic techniques. In his brief to the study on behalf of the Ontario Society of Clinical Hypnosis, Dr. Matheson noted that some research suggested that 10 per cent of those hypnotized have unpleasant effects simply as a result of the experience. More subjects have suffered harmful results as a consequence of suggestions or events that seemed to occur during and after hypnosis. Dr. Matheson said one researcher documented more than 100 cases of "unnecessary or unfortunate occurrences arising from stage and lay hypnosis. Some of these involve: 1) the development of altered ego states, 2) the failure to orient fully after hypnosis, 3) injury occurring during hypnosis, 4) and the experiencing of psychological fear and trauma as a result of the experience. A psychotic reaction, although rare, is not impossible."

Dr. Matheson concluded: "Hypnosis is natural and

effective as a therapeutic tool and has been professionally accepted. However, it also has the potential of being used for harmful and fraudulent purposes." He added that the potential for harm seemed greatest when hypnosis was used by laymen in the type of groups being discussed here because groups lacked personnel capable of dealing with negative effects.

The Greens' View

But criticism of this aspect of the groups' activities comes not only from those in the more traditional forms of mental health research and practice. Some of the most stinging criticism has been voiced by Dr. Elmer Green and his wife, Alyce, two U.S. researchers of psychic phenomena and other parapsychological matters at the Menninger Foundation. Ironically, the Greens' criticism has been cited as an authority in support of some statements made by groups of the type examined in this study. Indeed, the Greens have said their data supports claims of some groups that a person who has descended deep into his own unconscious can control diseases in himself, diagnose ailments in others, and manipulate nature. Yet, they also said: "Commercial mind training courses promising ESP (extra-sensory perception) powers are using hypnosis as the major method...Commercial mind training 'teachers' generally deny that they use hypnosis and by denying or ignoring the risks associated with hypnotic 'programming' are inducing in some persons a form of paranoid neurosis or psychosis often related to obsession or 'possession.'"

Attacking the groups on their own "paranormal" ground, the Greens said many risks exist in group use of hypnosis. Many people, for example, are "psychically catapulted" into conditions in which they "hear voices" that may arise from within their own unconscious, from psychic manipulation by others, or, in fact, be "extrapersonal." "These people usually cannot turn the voices off, cannot separate fact from fiction, have lost their 'reality testing' powers, and often are obliged to act out 'against their will' instructions they are 'given.'"

In a seemingly-related criticism, the Greens stressed the dangers of programs in which participants are said to resolve problems with the help of spirit-like "advisors" or "helpers" who inhabit the deep levels of the mind. This description of programs fits those of a Toronto mind development group. For those who accept the possibility of such entities, the Greens asked: Is it legitimate to assume that the helpers are always good and safe beings? The parapsychologists also said:

Commercial mind training students are often 'programmed' in ways not too appropriate to their own needs, nor at their own proper rates. What is proper for one can be disastrous for another. This hazard arises because...many mind training teachers are incompetent to work with people in matters where psychological and physical health are at stake. For example, former salesmen who have had a few courses in hypnotic programming are not qualified to work in this very delicate area of the human psyche with its psychosomatic correlates.

Parapsychologists and proponents of a more traditional psychology say therapeutically-oriented groups can be

seriously questioned about effects of their practices and leadership on the health of many of their participants. Movements of a more distinctively religious stripe also have been cited by critics as hazards to the health of their adherents.

New Religious Movements

Concerns about health hazards these groups allegedly generate centre not only on active members but on former members. Concerning active members, Dr. Clark has warned that persons, who already have personality disorders when they enter religious movements, stand a good chance of becoming more seriously, perhaps irreparably, damaged by their participation. "Their chances of ever developing a good relationship to outer reality and becoming autonomous individuals must, perforce, diminish with the passage of time," he told a Vermont State Senate committee. He said that even those who were comparatively healthy upon initiation could become "acculturated" to their movements after four to seven years and their narrow, cultic mind sets could then be irreversible. He added:

Continuing membership appears to invite a deeper acceptance of the controlled state of mind, and, in my opinion, leads to the gradual degradation of ordinary thought processes...In this state, after some time, the intellect appears to lose a great many I.Q. points; the capacity to form flexible human relationships or real intimacy is impaired and all reality testing functions are difficult to mobilize so that judgment is poor.

Rev. Joel MacCollam, an Episcopal priest active in anti-cult circles in southern California, said he has medical evidence that at least one major movement's practices induce

physical as well as mental regression in active members. MacCollam said their return to child-like dependency on their movements is so strong that hormonal change results in some instances. Young men have lost their beards and undergone vocal changes. Menstrual cycles of female members have become irregular or have been completely interrupted. Clear skin has suddenly become afflicted with acne. "Once the inductee has been freed from the cult's influence," MacCollam said, "his earlier physiological state has usually been restored." In addition to these attacks, the movements have been accused of undermining active members' health by subjecting them to inadequate, imbalanced, or radically altered diets. A few groups have been said to influence or in fact, counsel members not to seek necessary medical care and not to take prescribed medications. And the leader or members of an Ontario religious commune are said to have contributed to the death of a diabetic member by counselling him to stop taking his medication.

Problems of a Former Member

In his analysis of criticisms against religious and quasi-religious movements, Dr. Levine concentrated on difficulties reportedly experienced by former group members. Dr. Levine said that leaving a movement is an experience fraught with emotional upheaval, whether the exit is voluntary or the result of deprogramming. The initial reaction often is akin to culture shock. The groups provide members with defined value systems, rigid rules of behaviour, constant company, schedules of work, and ritual. Once out, former group members

find flexible and competing value systems, few rules and more ambiguity, more privacy accompanied by greater chances of loneliness, and choices about work or education. Having strained or severed old familial ties and friendships, former members are faced with rebuilding relationships. And the shortcomings of a society that they rejected must be accommodated. Dr. Levine explained that there "are ambivalences, mixed feelings, regrets, and confusion. There is exhilaration and excitement alternating with sadness and self-deprecation."

In many cases, Dr. Levine, Dr. Singer and others have found these conflicts breed feelings and preoccupations in former members that persist for months. The dropout may feel intensely guilty. He may feel he has betrayed his religious principles, his leader, and his friends in the movement. And he may feel this is deeply sinful. Paradoxically, at the same time, he may feel guilty for the ordeal he caused his parents and friends. As a corollary, he may feel shame, sensing that both his former movement and the community to which he has returned consider him traitorous and foolish. Former group members fear that retribution by the movement or its deity may be visited upon either the body or the soul.

In addition, veterans of the movements have reported inordinate indecisiveness about trivial matters, such as what to wear, what to eat, what to do, and how to do it. With uncritical passivity, they may accept almost everything told to them. Their mental skills, even their ability to verbalize thoughts, may be blunted. Triggered by significant

words or some form of stress, they may slip into altered states of consciousness or become highly suggestible. Ironically, they may find that problems from which they sought escape in the groups, such as low self-esteem, difficult interpersonal relationships, and depression, return, perhaps even with a new intensity.

Dr. Singer said it took six to 18 months for about 100 former members in a sample experiment to begin functioning at a level commensurate with their histories and talents. Dr. Levine noted that veterans of the movements may need psychotherapy to get over this uncomfortable period. Indeed, in some cases, problems may evolve into full-blown psychopathology. He explained:

This may be due to an intensely conflictual situation, where the young person feels torn by both worlds and is paralyzed as a result. This author has seen the following: intense fears and phobias; depressive reactions such as self-deprecation and inertia; paranoid ideation; symptoms of intense anxiety such as sleep disturbance, insomnia, sweating, nervousness; 'flash-backs' or recurrent memories -- almost like hallucinations -- of intense highs, chanting, rituals, warnings from the group.

CASE HISTORIES

While professionals may use what seems like clinically sterile language to describe mental and physical problems reported by those who have treated members and ex-members of various therapeutic and religious groups, first-hand accounts by people who experienced "depressive reactions" or "paranoid ideation" are anything but sterile.

For example, in the following excerpts from an interview with the study, a 30-year-old school teacher from a rural Ontario community described her emotional and physical state when she concluded 10 months with a mind development group in Toronto:

Interviewee: I had lost all my confidence. I had absolutely nothing in the way of confidence left...

Study: What about work and career goals? You had no ambition at all at this point?

Interviewee: No, I didn't have the confidence to have any ambition.

Study: How about your overall health, your general physical health?

Interviewee: Just often loss of appetite...I guess I didn't feel too terrific about myself, so why bother feeding my body that much? I just didn't care...

Study: Was there anything different about your attire, the way you dressed?

Interviewee: I was wearing just the craziest stuff. Just anything, I guess...Insecurity. I just didn't know what looked right and I'd have to be told what looked right. Never had that been a problem before...

Study: But once they told you, it still didn't really matter?

Interviewee: No, I thought it looked terrible...

Study: What would you say was the greatest single factor or incident that made you decide to leave (the movement)?

Interviewee: I don't want to use a word that's a clinical word, but it was a feeling of neurosis -- whatever this feeling is. People call it paranoia now. I hate it because it's used so much. But it was just that horrible feeling that I was a 13-year-old girl and I didn't know what I was doing, and I was running for strokes and that was the point where I couldn't stand it any more.

In another interview, a 20-year-old Toronto woman

told the study of her experiences immediately after having been talked into leaving the Toronto branch of an international religious movement to return to the home of friends with whom she previously had been staying:

I was so tired, but I couldn't sleep. I just saw... I never used to have nightmares. It wasn't really nightmares either. It was like reality. I saw white eyes and, like black pupils looking at me all the time. I started to get afraid. I started to get cold, freezing...then I slept and I woke up and I felt OK. Then all these feelings started to come that I couldn't understand. What had I been going through? I felt so betrayed and deceived...

I was getting a headache nearly the same time every day -- 12 o'clock. I just had to go to sleep. I couldn't stay up. I just couldn't stand any people. I just had to go to bed and I never used to go to bed...(This went on) four or five days.

Another Toronto woman, a 31-year-old who described herself as a workaholic before joining a Toronto-based mind development group, said that for three or four months after leaving the movement:

I then spent the next four months in my apartment, staring at the ceiling. That's the only way I can describe it. I would wake up in the morning, I couldn't make decisions. I'd wake up in the morning and I'd have this great discussion on what I was going to have for breakfast. I was alone, of course, and I would have breakfast and I wouldn't know what to wear. I wouldn't know what to do that day. I would sit down on my chair and figure: Well what'll I do? And then I would start staring. And then, all of a sudden, I would come back and it would be four o'clock. This would happen every other day. And the days I wasn't doing that, I was in another world. I was dozey and I was thinking about the (mind development) course...I didn't know what I was, I didn't know what was wrong. I just sort of was in a fuzzy state...luckily enough I still had some money left and I didn't have to work, so I went into very cheap accomodation and just sort of stayed dozey...I lost a lot of weight, a lot of weight...I just wasn't thinking about eating.

DECEPTION AND FRAUDHeavenly Deception

Critics of groups say heavenly deception is the description given by members of an international religious cult to deceipts practised in their movement's behalf. Critics say the principle is a type of cultic equivalent of "The end justifies the means." It implies that any lie is legitimate and any fraudulent act is justified, so long as the movement's holy purposes are advanced. They add it is based on a belief that the larger society is dominated by deceptive satanic forces and that God -- or those who do His work -- must fight fire with fire. And while other movements may not have codified this kind of principle of divine right, they often operate as though they had. Indeed, central to the attack on cults, sects, mind development groups, and new religions is the claim that they are fundamentally, often criminally, dishonest.

While self-improvement, service to God, or the achievement of some mystical revelation is their professed end, each group has an agenda hidden from its members and the community. The bottom line of that agenda calls for the amassing of wealth, power, and other gratifications the leader seeks. As critics see it, each movement is its leader's personal money machine that runs on lies. Critics contend members are recruited dishonestly to enrich the movement with their own financial assets, course fees, tithings, or labour. In practising deceptiveness, members in turn entrap further

recruits, raise funds under false pretenses, and participate in a variety of dishonest ventures that profit the group. And, out of loyalty to their leader, they may be drawn into lies or deceptions designed to protect his interests against detractors.

Deceptive Recruiting

For most adherents, participation in a movement begins with some form of active recruitment. And critics say the groups' deception begins with recruitment. Some specific practices provoking these allegations already have been described, but perhaps it would be useful to recall them here and elaborate as required.

Critics say recruiters for movements use an open and honest approach only in rare cases when prospects are clearly receptive to conversion. It is alleged, recruiters mask their intentions and sometimes even the identities of their groups. Recruiters also allegedly obscure the nature of life-style imposed upon their members until potential recruits are helplessly ensnared through brainwashing. An elaborate deception allegedly used by groups is attributed to a relatively new international movement that styles itself as a religion. The deception involves a group member striking up a conversation with a stranger, who might be susceptible. That group's recruiters have been reported to feign a common interest with the stranger and issue an invitation to an evening with an ill-defined spiritual or philosophical group of similar inclinations. At no time is the stranger clearly told, if told at all, either what the affiliation of his hosts is or

that he is the target of an attempted recruitment. Instead he is treated to lectures replete with beatific pronouncements. His own utterances are greeted with deep respect. He is "love-bombed" from all sides. Ultimately, he is invited to a weekend retreat for what he is led to believe will be more of the same blissfulness. Should he accept the invitation, however, he takes what critics say is the step starting him into perhaps weeks of mind-stilling indoctrination by a group whose identity is hidden from him until he has "snapped." Several persons the study interviewed said they had been thus processed by this movement while on trips in California. Critics contend that the movement's Toronto branch is evolving its own variations of the practice.

A Teen-ager's Story

A Toronto teen-ager told the study of his encounter with the group's recruitment techniques practised here. His initial contact with members of the movement occurred when they began patronizing a shop where he worked. He said they identified their group for invoicing purposes, but used its formal name and not its commonly-known name. Consequently, he did not recognize it as one of "those types of religious groups," which he normally shunned. He said members of this group were well-dressed, perpetually smiling and seemed harmless. So, when he and a co-worker were invited to attend an open house at the movement's new centre:

I said: 'Fine' ...(one member) said: 'There is going to be a meal and I'll take you on a tour to see what all the (materials) you sold us have done to the place'...So we made an arrangement to meet them at this place for dinner...We went inside and he took us on a tour of the place...It was very

business-like...

Then we sat down and he showed me a picture album, a couple of picture albums, large ones with snapshots of their place up north...and this whole album just consisted of people working together and having a good time building things, and lots of pictures of deer that they raise on this home away from home...I asked him what this place was for and they said they went up there on weekends to do work, to get away from the city and get some fresh air and work together as a group...

...they passed out these booklets, these folk song booklets, and a few people came up with guitars and they announced that we were just going to introduce ourselves to everybody and everyone did that. Everyone stood up and said their name and something a little bit extra, where they worked or where they lived...it sort of reminded me of camp, everyone sitting down and taking books and singing. Seemed harmless and quite nice, and a few people sat down with guitars and we sang about three songs. Most of them had a religious connotation to them with "Oh Lord"...

...They announced that we would get up and go to dinner in the other room...Then, after the meal was over (an official of the group) stood up and he gave a lecture...He was saying that most people in our civilization, are we not living in sadness and in pain and do we not want to live in happiness?...It was attractive. He was suggesting that people could live together in a very happy way and he was actually presenting a solution for happiness...He never mentioned (the founder of the movement); he never mentioned (the commonly recognized name of the movement)...If I ever heard (the name of the founder) I would have known...because I've seen things on TV about them. I didn't know who they were...Actually, I saw one picture, now that I think of it. It was in their family room where we sang. It must have been (the founder)...It was a very small picture, though...There was no sign at all (on the building)...

After that everyone just went and sat in their seats and talked...Well, now that I think of it, I guess I was the target for the evening or something...it seemed like I was surrounded by a group...I'm the type of person that really takes people at face value, and if they appear to be warm and friendly, I'll be warm and friendly back...I'm fairly gullible, if you want to say that. So I was sitting there thinking: Isn't this great! You know, everyone was so nice...All these people

are so friendly...

Well (one of the members) got up on the stage before everyone and said if anybody wanted to come up, there was going to be a lecture series on the weekend up at their place (north of Toronto)...With that, people there said: 'Oh, you should really come up, it's just super there; we have a great time if you liked it this evening'...And I was sort of wondering, gee, maybe I'll go up for the weekend... I said to them that the only problem was that I can't get a weekend off work; I work Saturdays. I said: 'If you want, I can always drive up in my car if you will give me directions.' (They said:) 'No, we can't give you directions; we all go up in the bus together...we like to sing songs together and let people get to know people.'

The teen-ager said he agreed to try to get a full weekend off another time so he could go to the retreat. "I was quite excited about the evening because it was really something quite new," he explained, "something interesting. People were so warm." However, before he had arranged a trip to the group's country retreat, he read a newspaper story about a movement picking young people up at Eaton's Centre in Toronto and deceptively luring them to its centre for recruitment. He realized that the centre was the one where he had attended the open house and recognized the group by the name used in the newspaper story. He said: "That's the place and how they try to recruit people...Isn't it incredible; that's exactly what it is! I was really shocked."

"Front" Organizations

As ingenious as that deceit may seem, critics have credited other groups with schemes at least of equally creative deviousness. Detractors say an international religious movement

operates several "front" organizations with a chief purpose to entrap recruits.

The affiliation of "front" organizations with parent groups sometimes is masked, although sometimes it is passingly acknowledged but played down. One of these organizations offers courses ostensibly designed to help school children improve their memories and study habits. A promotional pamphlet mentions the name of the movement's leader as the discoverer of the course's basic principles. However, critics say few parents are likely to recognize the name or link it with the movement, which is not named in the pamphlet. Detractors allege that the hidden purpose of this undertaking is the entrapment of children and, through them, parents who can be introduced to the movement's processing before they recognize it is happening. Another of this group's so-called "fronts" has attempted unsuccessfully in Ontario to gain access to prisons to develop programs for prisoners. Again, critics say the purpose is to employ the movement's techniques on prisoners and win them as continuing adherents. Still another of this movement's organizations tried unsuccessfully to penetrate at least one school system in suburban Toronto with what it represented as a preventative drug education program. However the program was rejected because its approach duplicated a course the parent religious group employed and therefore it was unsuitable in a non-denominational school system. A former member of this group told the study that the movement assigned members to certain

of these front organizations as field staff and paid them a percentage of course fees paid by people recruited through their fronts. Critics also characterize as similarly-motivated schemes courses offered by a Toronto-based mind development group to improve students' performance in school and programs proposed by an international meditation movement for school systems, businesses, and governments. Anti-cultists also allege that a major motivation of movements or their individual members participating in social services is the opportunity to proselytize among those served.

Gimmicks

In addition, some groups are accused of employing a variety of misleading gimmicks or "come-ons," which critics say constitute an unconscionable "hard-sell." A Toronto mind development firm with operations in several Ontario centres runs introductory lectures at which demonstrations are staged of psychic capacities it claims it can help students develop. In these demonstrations, a graduate of the program ostensibly diagnoses the infirmities of a stranger whose symptoms are written on a card which the graduate has not seen. According to a former member who led demonstrators through these sessions: "There is a way to do a demonstration so that it's always 'accurate.'" If there were any inaccuracies, I'd just say (the symptom) isn't on the card but it's likely there anyway."

Another gimmick critics assail is the free personality test. Tickets for the test are distributed on the street

by members of an international religious organization. Those who administer the test are likely to find even the most well-adjusted person in a troubled state and in serious need of costly courses the group provides. Several persons, who took the test in Toronto, said testers automatically interpret any hesitation to enrol in the group's courses as evidence of the personality defects "revealed" by the test.

This same movement is said to build much of its claim to scientific modernity on its use in its courses of a special device, something of a crude lie detector. The device, which the leader has said "is never wrong," ostensibly helps its operator identify stressful aspects of a subject's psyche. But forensic scientists, who have examined it, have shed doubt on its value, saying that it can be tricked. A critic, familiar with the workings of the device, said operators are not trained to take base readings for each subject and thus cannot assess subsequent responses. In other words applications of the device are not individualized; there is no scientific control in its use.

Fraudulent Claims

Critics also accuse many groups of making extravagant, unwarranted claims about benefits of membership in order to attract recruits. Earlier in the study the problems inherent in the health claims made by the groups were discussed. Critics assail other claims as, if not dangerous, certainly unconscionable and fraudulent. Much has been made of

claims by an Eastern mystical group that its meditative techniques bring the practitioner to experience of the divine. To taste a divine nectar, members are instructed to press their tongues to the backs of their throats. To see a divine light, they press upon their eyes. To hear divine music, they cup their hands over their ears. However, critics say the nectar is post-nasal drip and the light and music are simply normal physiological reactions of the retina and ear drums respectively. Thus the whole thing is a sham.

Another group, a therapeutically-oriented meditation movement of international repute, has also been attacked for making what critics consider outlandish claims. Its advanced practitioners, the movement says, can levitate. Furthermore, by meditating in sufficient numbers in target cities, practitioners are said to have reduced crime rates. By congregating in various world trouble spots for meditation, they allegedly have reduced tensions. With regard to this last claim, one of the group's publications says "world peace has been achieved" and the consequences of war "have been vanquished from the face of the earth." Reflecting the view of many critics, a Toronto journalist flatly labelled all such claims fraudulent. He told the study he had doggedly sought a demonstration of "flying" and even offered \$1,000 to pay for it. But representatives of the movement first made excuses and finally refused. He said he had contacted city officials in a centre where a crime rate experiment had supposedly been done, but they knew of no such statistics. And a review of news reports from world trouble spots indicated

no significant easing of tensions as claimed, he said.

In connection with this group, several critics have raised another complaint substantially similar to one made against some other movements. They say its characterization of itself as non-religious is a purposely misleading ploy. In general, the alleged adoption of this ploy is said to make groups more broadly attractive in a largely non-religious society. In the case of this meditation movement, it is said the deception attracts followers, who might not associate with a religious group, particularly a Hindu one, and improves its chances of gaining access to schools and other institutions where religious proselytizing is not allowed. To support their contention, critics cite the leader of the movement himself who has written: "...today we have to sell (the group's meditative technique) in secular terms through the agency of governments, because politics and secularism dominate people's minds...when religion dominates mass consciousness, (the technique) should be taught in terms of religion." Critics also point out that scholars have translated Sanskrit mantras the movement assigns to its students and found them to be the names of Hindu deities. The scholars have analysed the initiation ceremony for graduating meditators as being a ritual of worship. Indeed, a U.S. District Court in New Jersey ruled in 1977 that the movement and its courses were religious and should not be allowed in secular public schools.

Financial Deception and Fraud

From the leadership training manual of an international

religious movement comes this discourse on contented cash:

"Do you like to make green bills happy? When green bills are in the hands of fallen man, can they be happy? Who don't you make them happy? So many green bills are crying. Have you ever heard them crying? Not yet? You must hear. They are all destined to go to (the leader)."

From an early policy directive by the founder of another religious group operating internationally comes this lecture on the centrality of money:

MONEY is the attention unit of this society. A lot of (the movement's adherents) say 'How mercenary!' when I start talking about money. They don't believe in it to the degree that they don't want to attract any attention personally. And that's the crude truth. We've got to get over that attitude. The commonest sense tells us that if we had enough money we could advertise and build and hire our way straight up the line ten times as fast as we are doing...

A directive issued a few years later by the same author says:

Now I've taught you many things. Let me also teach you to make tons of money for the organization. Disseminate like mad and make tons of money. Please?

Coming as they do from movements professing to be devoted to the life of the spirit, such utterances might seem incongruously materialistic. But to anti-cultists, such statements simply illustrate the money and power lust that motivates, not only these groups, but many movements of the kind that fall within the ambit of this study. Moreover critics say such statements demonstrate the rationale inspiring the broad range of deceptive and fraudulent financial

practices allegedly engaged in by many such groups.

Critics claim fraud occurs within some groups when members are persuaded to surrender their assets to their movements, or in other groups, when members invest in course after course in search of illusory goals. Critics also note that members, who have been duped, undergo an education in exercising duplicity to extract money from an unsuspecting public.

Perhaps one of the most basic forms of fraud reported is on-street or door-to-door fund raising under false pretenses. Police, municipal, and provincial government officials have received numerous complaints alleging that members of various groups were soliciting donations for charitable causes they did not represent. A variation on this theme was played last year by two members of an Eastern religious movement, who finally were caught in a Northumberland County municipality in Ontario after having attempted it elsewhere. The pair reportedly persuaded several banks to permit them to leave candles for sale on bank premises. Proceeds of the candle sales ostensibly went to local organizations assisting crippled children, alcoholics, and halfway houses. However, the beneficiary organizations said they knew of no one soliciting funds on their behalf. Another group, claiming to represent an order of the Roman Catholic Church, canvassed for funds among merchants and residents of several eastern and southern Ontario municipalities during June, 1978. Women members wore outfits resembling nuns' habits but police discovered the group had no affiliation with the Catholic Church.

The Loans Game

Loan frauds are among other deceptions allegedly perpetrated by group members in pursuit of money. Several former members of various groups told the study they had been urged by their movements to seek loans to pay for further courses or trips with their groups even if they had to lie to get the loans. In some instances, the prospective lenders were relatives or friends but in others, they were financial institutions.

A former "minister" with one religious group told the study:

My role was as guarantor (for bank loans). I was told by the executive director of the (movement) that in that capacity I must further (the movement's abilities to help less fortunate (members) get their loans. I was told that I must tell the bank that I earned \$150 a week, that I would give the executive director as my senior whom the bank could check with, and I did and he also lied and said I earned \$150 a week... The most I ever earned was \$35 a week...I believe the applicants also misrepresented their salaries. You can't apply for a loan at a bank up to \$1,000 and say you only earn \$15 or \$10 a week and expect to get it.

The former "minister" did not know the extent of this practice by the movement's Ontario missions. However, in one of the states in the U.S., the group was being investigated for counselling, conspiring, and acting as a party to such a loan fraud scheme. Media reports said the plan may have involved applications for millions of dollars in loans. Reports also indicated that borrowers had defaulted on a sizable number of them in amounts ranging from \$700 to \$10,000.

Tax Laws and Groups

As Delgado explained in his Southern California

Law Review article cited earlier in this report: "The obvious economic orientation of much cult activity...renders the cults' religious claims vulnerable to charges of insincerity." In fact, most critics feel much more strongly about this matter than Delgado's judicious language would imply. They generally assail as bogus movements' claims to religious, charitable, educational, or non-profit status. Critics charge that such self-characterizations are disguises, assumed by many groups so they can fraudulently avail themselves of tax concessions accorded such institutions under the law. And critics note that examination of the ways many groups structure and manage their financial affairs demonstrates that.

Several ploys, which have attracted this kind of criticism, allegedly are practised by an international religious movement, registered for tax purposes in Canada as a non-profit corporation. Detractors accuse this group of having a policy of distortion for the purposes of tax evasion and support the accusation by quoting from directives the founder has addressed to his lieutenants. "I am struck by the ease with which 'non-profit-making' companies or associations are able to escape the payment of taxes," he once wrote, "even if they are not charities...This aspect of our tax system is in my opinion ripe for review," On another occasion, he counselled:

Now as to TAX, why this is mainly anybody's game of what is a PROFIT. The thing to do is assign a significance to the figures before the government can. The whole thing is a mess only because arithmetic figures are symbols open to ANY significance. So I normally think of a better significance than the government can. I always put enough errors on a

return to satisfy their bloodsucking appetite and STILL come out zero. The game of accounting is just a game of assigning significances to figures. The man with the most imagination wins...Income does not mean profit...be sure it is accounted for as to its source and that one covers it with expenses and debts...

Former members, who had achieved ranks of some substance in the movement said the group has played the "game" with considerable "imagination." Ostensibly to assist members through ascending levels of spiritual development, the group operates an extensive hierarchy of courses. That in itself might not belie its religious, non-profit claims, critics admit. However, while it refers to the money received for these courses as "donations" -- a non-taxable source of income for non-profit organizations -- students actually are assessed according to an established schedule of fees. "Donations" for some courses can run in excess of \$5,000. Moreover, one of the movement's internal memoranda indicated that this schedule, like any commercial scale of fees, has been revised in the past, presumably to keep pace with rising costs. Former members also allege that 10 per cent of the gross income from every "mission" -- which once were called "franchises" -- goes out of the country to the founder and mission tax returns are calculated on the remainder. The money that goes to the founder does not show on the movement's official books, it is alleged, and he reportedly pays no income tax on it to any government. At the same time, a directive from him contains instructions that he is to be listed by each mission as a staff member and officially paid 10 per cent of its income,

yet he does not serve in any such capacity, according to former members.

Such practices, the critics contend, are clearly the earmarks of a venture more interested in money than mission. Critics note that for these and other such charges, the leader and two others recently were found guilty of fraud by the courts in France. They augment their allegations that the group practises fraud in Canada with further charges that the movement gives its staff members allowances rather than salaries so that it need not remit unemployment insurance or Canada Pension Plan payments. The detractors also allege that provincial minimum hourly wages are not paid in all instances. And they quote from a directive in which the founder advised: "'Moonlighting on the government' would be quite permissible. With governments anxious to hand out welfare, in some depressed area it would be quite all right to go on the dole or relief and work as a church volunteer..."

Meanwhile, the leader of a commercial mind development company in Toronto has been accused of abusing the tax-free status of a research foundation affiliated with his group. According to former members who once were close to the movement's inner workings, the real function of the foundation has been to finance the leader's free-spending life-style.

The foundation, of which the leader officially is an unpaid director, has received substantial funding from a variety of sources, including car washes, walkathons, and

lotteries run by students of the parent group. However, one of its most constant sources has been graduates of the parent company's advanced course. They tithe 10 per cent of their weekly salaries to it. As contributors to a tax-free foundation, those who tithe are eligible to deduct these contributions from their taxable incomes.

Again, the critics say they would have no complaint if it were not for the fact that the foundation has done little of the research for which it received tax-free status. Instead, former members said much of the money has paid for lavish personal expenditures by the director, who has charged these costs to the foundation as "expenses." And all the while, the leader, claiming not to receive a "salary," reportedly has paid no taxes on the money which critics say he certainly has used as personal income. In addition, it is alleged that the leader has used his directorship with the foundation to engineer its purchase of books at grossly inflated prices from a publishing company, which he owns.

Other variations on the tax fraud theme continue to crop up in the summary of complaints about cults, sects, mind development groups and new religions. The last of the more serious concerns expressed in this regard emerges from relationships between some movements and commercial operations run by their leaders. Among groups that have raised such concerns is an international religious movement associated with a wide array of profit-making ventures. The movement's involvement includes the areas of banking, fishing,

journalism, building maintenance, the restaurant business, tea sales, and pharmaceuticals. Critics say the movement as a cult has a large, devoted following, which they can employ at low or no wages in its various businesses. Profits thus generated can be turned back to the parent movement. Since the movement is a tax-exempt religious institution such a donation becomes a tax deduction for the donor company. If company employees are salaried, a donation equal to 20 per cent of company income is deductible; if the company is a "related business" under the Income Tax Act, 100 per cent of its income can be donated and deducted.

THREAT TO SOCIETY

If cults, sects, mind development groups and new religions are a problem, is it exclusively a private tragedy or a public menace as well? In the minds of anti-cultists, there is no doubt. Critics say that while groups shatter individual lives, they also undermine social order. Indeed, several anti-cultists believe it could hardly be otherwise, given the nature of leadership in most groups and the leader-member relationship. As the critics see it, the grandiose self-images of most leaders have been further inflated in many cases by the extraordinary devotion of their followers. They consequently feel increasingly free of any obligation to abide by conventions binding ordinary men. Their pursuit of self-aggrandisement loses its restraints; their potential paranoid psychoses are given free rein. The leaders play out

these tendencies through their followers, who have been infected by this loss of grounding.

Critics vary in their assessments of the extent groups threaten society. Even the more conservative critics see cultic practices as having disruptive effects on institutions and principles vital to social stability. However, several prominent critics go much further. They warn not only of social disruption, but of eventual cultic domination of society if the movements, particularly some of the larger ones, are permitted to proceed unchecked.

While it is difficult to estimate the number of critics who share that vision, it is clear that most certainly subscribe to more specific charges. They believe many groups knowingly destroy family relationships, exercise a contempt for law and morality, breed intolerance and bigotry, and foster violence. And many accusers, whether they believe the spectre of social domination by cults a possibility, nonetheless allege that some movements do plot against governments and plan the imposition of their own rule.

Destroying Families

A middle-aged couple from western Ontario, fought a continuous and sometimes losing battle against tears as they told the story of their 20-year-old daughter's withdrawal from the family in favour of an Eastern mystical movement. "It started out purely through meditation," said her mother. "She went to free lessons in meditation with another friend...

And she has just very recently taken what we consider to be a very final step which essentially separates her from her family, from people who love her." The young woman had become an acarya -- a monk -- within the movement and had left the country, saying she never would communicate with or see her family again. "The way in which the whole thing happened is, in my view, a progressive and insidious thing," said her father. "Step by step. Each step in itself is insignificant and no cause for concern on the part of family and loved ones. But the collective result of the steps is very, very, different from that...I can state categorically that it is the most drastic thing that has happened to my family."

To this mother and father, the tragedy, which they felt had befallen them, was all the more painful because it was incomprehensible. They were, after all, communicative, intelligent, liberal parents who generally were understanding and loving in their relationships with their children. They testified they always had been reasonably tolerant of their children's ideas and experimentation with new life-styles and had shared their joys and sorrows. The parent's testimony was supported by one of their other two daughters. Perhaps typically, the couple thought that they had somehow authored their own misfortune and had failed as parents.

Not so, say the anti-cultists. Alientation of members from their families is one of the most universal practices among cults. It certainly was a highly recurrent theme in

case histories drawn to the study's attention by former group members and their families. A former staff member of a Toronto-based mind development group told of being pressed during "arena" sessions to "let go" of her father because "he never really loved you." Having served on staff, she said she could attest to the fact that "the ultimate problem staff would lead you to (in arenas) was a problem with parents... people were actually occasionally urged to leave home and family."

Alienating Families

And several families in eastern Ontario reported having received extraordinarily similar letters during the 1978 Christmas season from children or other relatives who were living with a new religious movement that originated in Ottawa. One letter said:

I feel now that I am a child of the universe, a member of God's great being...Now is the time also to say farewell to you...You gave me so much, but like all good stories, they come to an end and this one is a beautiful ending indeed...If our paths should happen to cross again, that would be wonderful, but if not, I'm sure that's the way it's supposed to be.

In another interview, a Toronto man accused an Eastern religious movement of what must stand as the ultimate in alienating a member from his family. The father said the youth had been recruited at the age of 14 and maintained in membership by the group despite parental objections. The father said the youth lied to his parents about his continuing membership. During a hospital stay for psychiatric care, the youth discouraged visits from his family in case

they coincided with visits from group members. Finally, while on a rehabilitation trip in Europe following his "deprogramming," the youth disappeared. Letters the family subsequently received, purportedly from the boy, were believed to be forgeries. The parents were convinced that their son had been reclaimed by the movement.

In Quebec, a District Court judgment against a Christian monastic group with several Ontario members noted that children in the movement had to memorize this text: "If someone comes to me without hating his father, his mother, his wife, his children, his brothers, his sisters and even his own life, he cannot be my disciple."

And a 24-year-old Toronto woman said an international religious movement operating in Ontario recruited her while she was travelling in California. She said that within three weeks, the group's indoctrination had so numbed her affection for her family that she felt no grief when informed of the death of her father. "When I found out my dad had died at the end of my stay at (one of the movement's country retreats) I felt relieved at missing the funeral since I wouldn't have to leave the (retreat)," she said. Later, the interviewee told the study her mother came to California to confront her. "I was really scared," she said, "because (members of the movement) had warned us that Satan would try to get at us through the family."

In interview after interview, the study heard stories

of children denying parents, deceiving them, snubbing them, denouncing them, and submitting to be hidden from them. In publication after publication, researchers related strikingly similar case histories. The names of movements, their locations and techniques of persuasion vary in these details. But the theme of alienation from family remains a constant.

In many cases, there is a history of antipathy between the group member and his family. Often, though, there seem to be no unusual strains to explain a member's sudden renunciation of familial ties. Critics say it is a product of cultic brainwashing. The movement's objective is to remove the member from among those most likely to infect his mind with doubts about his new faith, or, worse still, engineer his deprogramming. It is calculated to cement him in his new relationships. As Dr. Clark stated:

Leaving the old familiar life setting and renouncing it for a new communal theology, the accepting of a new family with new definitions of love and the denouncing of natural parents leads an individual to think all bridges to the past are closed and that a very brave move into a new world has, indeed, been made.

Hence, critics say many movements equate parents with demons and satanic forces. Some quote scripture (Matthew 10:36: "and a man's enemies will be the members of his household," to justify their efforts. The leader may become "Father," another member a "Spiritual Mother," "Sister" or "Brother," and the group a "family" or "brotherhood."

Effects of Alienation

Clinical reports show that the effect of such alienation

on parents and siblings can be devastating. Parents under severe emotional stress may succumb to physical or psychological problems. They may be assailed by a sense of guilt for having failed their child in some way they cannot understand. They may rage against their ungrateful, traitorous child. They may feel a frustrating fury at the movement that "kidnaps" their son or daughter and the authorities who tell them nothing can be done. Indeed, two Pennsylvania researchers, Dr. Lita L. Schwartz and Dr. Florence W. Kaslow have reported: "The family's sudden and continuing sense of loss and unresolved grief is sometimes analogous to that felt by families who have experienced the death of a child. They may blame each other for the child's abandonment of all they consider of value, thus precipitating a marital crisis."

In addition, these researchers said younger siblings may become frightened and hostile as a result of what is happening in the family. Since cults encourage members to recruit brothers or sisters, parents may become concerned about their other children and create intergenerational conflicts there as well. The researchers concluded that "the very fabric of the family is threatened by a bigger, richer, more powerful alternative family."

If that "alternative family" truly was an alternative in any constructive sense and it served as a stabilizing factor for the fragile, many critics admit they would have no case. They acknowledge that the concept of the nuclear family as the basic social stabilizer has come under question

in recent years and credible alternatives have been proposed. However, they contend that the movements do not help members mature to independence as true families, either nuclear or alternative, endeavour to do. It is alleged most movements force members to regress into a state of child-like dependency on the dictates and directives of their leaders. The assault by various movements on the family, then, is purely destructive. And it serves not only to undermine individual families but the whole society for which the institution, imperfect as it may be, still is the basic unit.

Illegality and Immorality

The anti-cult argument contends that members of many cults, sects, mind development groups and new religions consider themselves as part of a spiritual elite and tend to act as though they were above the demands of law and public morality. Viewing the world outside as a society governed by Satan or at least one that is ignorant of some ultimate reality, groups operate on a "we-they" philosophy, which renders breaches of legal and social norms acceptable, perhaps even righteous. Opponents of movements say that by this looking glass logic deception is deemed "heavenly," prostitution is called "hooking for Jesus," and doubts about the legitimacy of unethical conduct are explained as spiritual impurities or impaired self-awareness.

Consequently, as noted earlier in this section, members of some groups are said to engage readily in various forms of financial fraud and other deceptions for their

movements. But that by no means fully represents the depth of the contempt with which many groups are said to treat legal and moral codes.

Offences, which are most frequently and widely reported, involve violations of local laws and regulations governing activities such as the sale of goods and soliciting of funds in public places, obstruction of public thoroughfares, and the use and maintenance of residential properties. But various groups have been accused of a broad range of far more disturbing activities.

During the study's interviews a few groups were accused of engaging in child abuse. For example, it was reported that a central Ontario communal movement straps errant children on the backs of their thighs as a disciplinary measure, and as a matter of belief, the children are plied with prayer to the exclusion of medical care in cases of illness. A Children's Aid Society investigation found no evidence to support such claims but allegations persist. And an eastern Quebec monastic group with several members from Ontario is also said to subject children to brutal discipline, not all of it of a physical kind. In a Quebec District Court judgment regarding a child custody action brought by an Ontario member of this group, the judge said:

...the punishment meted out to them aims at breaking down any resistance which the children may show (toward monastic life);

Thus, for example, a girl student, who was judged to

be undisciplined in class, had her desk enclosed by a partition for nearly one year, and was thus prevented from seeing the other children and her lady teacher...

A young boy, who suffered from nocturnal incontinence, was forced to wear a dress throughout the day in the presence of other pupils...

Once, by way of punishment, a girl student was made to wear for a week an inscription on cardboard reading: 'I am at a retreat; do not speak to me.'

A young man who had lived with this movement for a total of 10 years said in a sworn statement: "If playtime is not formally prohibited, it is certainly looked down on. Thus, the children submit daily to chores which are sometimes very heavy to perform, such as the separating of vegetables in winter in a cold cellar. It often happened that children returned from this task with frozen hands and feet."

In addition to child abuse, this movement also has been accused of flaunting orders issued against it by Quebec courts. In 1976, a court granted an Ontario man custody of his three children, who were living with his wife at the movement's monastery. The group and the man's wife were ordered repeatedly to turn the children over to their father but refused to do so. In fact, the children were hidden from their father and police officers, sent to enforce the court's decision.

Abuses of the Law

But when it involves shady undertakings and outright abuses of the law, few groups have been accused of going to

the extremes attributed to an international religious movement, which has its Canadian headquarters in Toronto. Critics say Ontario members have been acting on instructions from officials responsible for defending the group against its enemies when they have committed acts, such as illegal entry, infiltration of government departments and non-governmental agencies, and theft of documents.

In 1974, two members were caught breaking into the offices of a Toronto law firm, which was handling the affairs of a defector with whom the movement was embroiled in legal battles. Information or files involving the movement and individual members reportedly have been taken from offices of the Better Business Bureau and mental hospitals. "Plants" have been discovered among people working in provincial government ministries and for the Canadian Mental Health Association. Suspicions also were raised about whether members had resorted to tampering with mail when a letter from a Toronto journalist to a Florida newspaper went astray. It later turned up as evidence for the movement in an Ontario Supreme Court case. And a U.S. court recently found nine members of the group, including the founder's wife, guilty of infiltrating and breaking into government offices, stealing documents, and electronically eavesdropping on an Internal Revenue Service meeting.

The perversion of sexual standards is another violation of social norms attributed to several movements. Some leaders are said to exploit their power over members

for their personal sexual gratification and some allegedly have institutionalized sexual perversity within their movements. The founder of a Toronto mind development movement was reported by several former women followers to have urged them to have sex with him as "therapy." Another group, a U.S. splinter of the Jesus movement that has operated here, was cited in a report by Attorney General Louis Lefkowitz of New York State as having "a positive position on incestuous behaviour, youthful intercourse and the non-sanctity of marriage." Critics note that much of the text and many of the illustrations in pamphlets bearing lectures by the leader of this movement are pornographic and foster the selling of sex to attract funds and recruits. In the Quebec monastic group referred to earlier, the leader allegedly has engaged several young male followers in homosexual acts.

Attractive to the Young

In many instances, critics are concerned equally about anti-democratic and intolerant attitudes they consider endemic to the movements and specific breaches of law or morality by groups individually. Such concerns grow out of the fact that countercultural and personal growth movements seem to appeal especially to the young and educated. These are the ranks from which future social and political leadership will be drawn. A seemingly disturbing characteristic of many groups in this regard involves their inclination to promote dependency among young people seeking escape from the agonies of choice. To the critics, this represents long-

term erosion of liberties society has paid dearly to win.

As Dr. Vivian Rakoff, the Toronto psychiatrist and social commentator, said in an interview:

Within our society we see young people -- and I worry particularly about young people -- who give over all the difficult rights of choice, all the difficult problems of having to live in a somewhat ambiguous and uncertain world, for the doubtful certainty of very poorly articulated groups. Acknowledging that many members reap short-term benefits from the groups, all that they really want is to be told what to do, that they are under control and that what they are doing is good...For me, the danger is that they are prepared to give up all the things that allow me personally to be in this society for the sake of a very simple set of certainties. They want to give up all that liberty we cherish so that they can know exactly what to do tomorrow morning. The danger is that they give up critical posture, the right to question, the right to self-determination.

In addition to their alleged denial of libertarian traditions, a fundamental intolerance of other religious streams has been attributed to the movements. Again, the critics say this is a natural concomitant of the groups' elitist self-image. On this theme, Dr. Rakoff told the study:

When people are absolutely sure of their rectitude -- which is one of the characteristics of (members of) a new religion or a new cult or a new church -- when they are totally devoted, when they are absolutely certain of themselves, there is no room for pluralism, there is no room for the 'other.' Born-again Christians in the United States are beginning to publish lists of merchants that you should adhere to. They specifically give names. And this is a great worry, for example, to Jews in small southern cities where the born-again Christians are because, while it is not intended in this way, it comes out almost like the old Nazi one of 'Don't shop at Jewish stores'... A society that is totally devoted to one religion -- and that can apply to a mini-society -- is, by its nature, intolerant of pluralist sub-groups.

Intolerance in Groups

Critics also note that while several movements, even some that characterize themselves as non-religious, are generally contemptuous of other beliefs, some are more openly bigoted than others. Critics list a group that came into being as a splinter from the U.S. Jesus movement as among the more intolerant. To members of this group, the supposedly corrupt North American system, known in the movement as the "Whore of Babylon," consists of business, education, and churches. To participate in these elements of the system, including the churches, is to fornicate with the "Whore." Critics also point out that this group is decidedly anti-Semitic. The leader's writings frequently contain epithets involving "those anti-Christ Israeli Jews" in themes of international Jewish conspiracies. He even explains inflation as a plot by Jewish bankers to punish the Western World for turning its back on Israel when Arab nations engaged in petro-politics. Moreover, a U.S. Jewish committee report on the central text of another major international religious movement said the book revealed an orientation of almost unrelieved hostility toward the Jewish people." The text, written by the leader, depicts "Satan...working through the Jewish people" and the persecutions Jews have suffered throughout the ages as punishment for their sins. But Jews are not the only objects of this group's contempt, it is alleged. A recent book by a former member of the movement in the U.S. said the leader described Occidentals as merciless, feelingless, and emotionless and has persuaded even his Western followers that nationals

of a certain Asian country, his own country of origin, are to become God's chosen people.

Violence and Harassment

As anti-cultists see it, our society has been amply warned about the dark potential of the "cult phenomenon" and indeed warned in blood. Anti-cult authors, Conway and Siegelman, said: "In at least some outposts, religion in America has turned into terrorism." Spectacular examples include the Manson murders and the Jonestown tragedy. Critics point out that these and several similar events of lesser notoriety show what is probably the groups' most disturbing and probable potential -- the potential for violence.

Dr. Lifton said this potential is rooted in a movement's conviction that only those who see and pursue truth by the movement's light have a right to existence. He explained:

The rest have no such right. This designation is usually social and symbolic, a distinction between God's true children and sinners. But it can become literal and violent, especially toward cult defectors who pose a particular threat to the cult's moral and psychological claims, and the further threat of revealing to the outside world the true inner workings of the cult. The use of 'dirty tricks' and other forms of harassment, sometimes violent, against defectors or opponents can be justified by the cult's claim to a 'higher purpose.'

What Lifton appears to be suggesting is that movements generate paranoid images of the world that are shared by all members. Is such a group delusion possible?

Dr. Rakoff, the Toronto psychiatrist, is among several clinicians who say they have seen it in their practices. Dr. Malcolm, also a Toronto psychiatrist, said that identifying a real or imagined enemy within or outside the group can be a technique for reinforcing adherence. "The government is investigating, a neighbouring state is mobilizing for an attack, or the devil has penetrated the defences and lies, even now, in the hearts of several members," Dr. Malcolm explained. "In such circumstances turmoil is perpetual and the leader finds that it is exceedingly easy to arrange an endless sequence of revivals."

Little Violence in Ontario

Anti-cultists say that so far, Ontario has seen only modest evidence of the cults' proclivity for violence, but they insist there has been some. In 1977, the Indian High Commission in Ottawa was the object of a fire bomb, allegedly by members of a radical organization, which had implanted themselves within an Eastern politico-mystical movement with a small following here. At that time, the leader of the international movement was in jail in India on murder charges, which the group said were false and politically inspired. Attacks on Indian diplomats in other countries and the bombing of an Air India aircraft also were attributed to radical infiltrators of this movement. In addition, monks associated with the group in other countries burned themselves to death in various kinds of protest.

In the early 1970s, some Ontario defectors from

an international religious movement reportedly found that their cars had been tampered with in ways that could have caused serious accidents. One of them claimed that a mock funeral staged by the movement, ostensibly to protest their public attacks on the group, really was a threat against their lives. Evidence presented in a U.S. court case showed members of the group held one of their officials against his will, binding and gagging him, when it was learned that the police had a warrant for his arrest.

In another international religious movement, some adherents have allegedly been instructed in how to attempt suicide if efforts were made to deprogramme them, the study was told. And U.S. reports of violence against enemies of the group have included incidents where shots were fired at defectors, death threats were delivered to the author of a book critical of the movement, and a beating was administered to a bodyguard assigned to a former member.

Harassment Techniques

And harassment tactics, known to be employed by various groups to quiet dissent and criticism, have been described at length in the previous section of this report and need not be detailed again here. However, it might be useful to recall that some groups have engaged in activities, such as smear campaigns, annoying or frightening telephone calls and virtual blackmail against internal dissenters and external critics. Even many law suits and injunctions, brought by groups against detractors, have been seen more as harassment

than bona fide legal actions, aimed at gaining compensation for or averting some wrong. Indeed, critics suggest that the extent to which a leader's own paranoia can infect the entirety of a far-flung membership is demonstrated by the degree of institutionalized, organized harassment. They refer to the international religious movement that has delegated responsibility for its security and public relations to an office set up within the group's complex organizational structure specifically for these purposes. That office masterminds the implementation of successive directives from the founder advising on the handling of "suppressive persons."

The Long-term Threat

To many anti-cultists, there is a special irony about the "cult phenomenon" coming into fuller blossom in this decade of 1984, the year in which novelist George Orwell set his classic of life in a thought-controlled state. Like Orwell, they foresee the possibility of totalitarian rulers enslaving the minds of whole nations. Unlike Orwell, anti-cultists cast those they claim to be cult leaders as the would-be masters of the nightmare society.

One of the more vivid images of what unrestrained cultism could mean has been created by Conway and Siegelman, the anti-cult activists who coined the term "snapping." In a magazine article written after the Jonestown incident, they warned:

...in the Eighties, we may find ourselves surrounded in our daily lives by great masses of Americans under one form or another of mind control: people

driving on highways, people in public office, people in the upper echelons of business and industry making decisions about what we eat, what we buy and what we do in our spare time. To those of us familiar with the ways of the cults, it doesn't take much imagination to envision a world where you cannot get a job in certain professions unless you have first taken 'the training,' or where you cannot run for office unless you have accepted Jesus Christ as your personal savior. In many arenas that already appears to be happening.

To many, even some of the more outspoken critics of the groups, that vision may seem too fanciful to entertain. Others, often people with credible credentials, suggest that we dismiss it at our peril. But most critics, regardless of their position on the Conway-Siegelman scenario, are concerned about what they see as evidence that leaders of some movements may see themselves as governors of whole societies and engage in questionable activities as they pursue their ambitions.

In 1966, the leader of an international religious movement issued a directive about the way his various roles in the organization should be portrayed and what was to happen to his posts after his departure. Apparently recognizing that some aspects of his plan were of doubtful legality, he said ominously: "Somebody some day will say 'this is illegal. By then be sure the (movement's branches) say what is legal or not.'"

A former Ontario official of this group also said that the leader had always wanted a country governed according to his movement's principles. In 1973, she said he attempted

to achieve this end. Pretending to represent a transport company, he allegedly persuaded the king of a North African country to allow him to try to root out enemies of the monarch's rule. Using the lie detector-like device the movement employs in its courses, members supposedly did identify several people the king already believed to be traitors. The leader of the group was allegedly on his way to running the country when the king was informed of the movement's real identity and expelled it.

Political-Religious Doctrines

Another international religious movement is said to play the political power game in a far more intense and sophisticated way. On this continent, the group's primary focus of political activity has been the U.S. The objective of its efforts is said to be to win U.S. support for the rabidly anti-Communist, dictatorial government of the East-Asian country from which the leader comes. It is in that country, where the movement was founded and where Christ will reappear and God will establish His New Israel, group doctrine says. It is also there that the leader has the base of his financial empire and a close relationship with the governing regime and intelligence service. In support of these interests, it is alleged members of the movement have lobbied energetically on Capitol Hill, attempted to infiltrate Congressmen's staffs, offered bribes to political figures, and supported former President Richard Nixon throughout the days of the Watergate scandals. The leader and his

chief lieutenant also are said to have used their influence in Washington and their army of "brainwashed" followers to perform favours covertly for the government and intelligence service of the leader's native country.

Central to the group's religio-political doctrine is the belief that Satan delights in the separation of religion and politics, critics say. It is further said that the movement's goal is to fuse the two and establish the leader as the governing figure in a world-wide autocratic theocracy. Its detractors say the group's intention in the U.S. is demonstrated by an excerpt from its own leadership training manual. "The constitution," the manual says, "will be in line with God's words, (the movement's scriptures). (This text) will be the constitution of America or some country."

Yet another international organization, a meditation movement, has stirred concern among many observers with its establishment of a "world government" to implement a "World Plan." The movement's literature says its government is a "parent" to all others, although not itself political. The group says its plan is to "raise the level of world consciousness, create an ideal society, and bring invincibility to every nation" through the practice of its meditative techniques. Indeed, in late 1978, a headline in a movement publication proclaimed: "World Peace Achieved."

Exactly how literally the leader or officials of

the movement take their own plan is a matter of contention among critics. But many believe, as a former Ontario teacher for the movement noted, that the leader is on the "ultimate power trip." His goal, it is claimed, is domination of the minds of all humanity. And even those detractors who dismiss the notion of world domination by the movement as fanciful express concern about the extent to which it has sold its techniques to governments, educational systems, and businesses as avenues to great productivity, improved health, and organizational harmony.

THE CASE AGAINST THE CRITICS

The controversy over cults, sects, mind development groups and new religions is not a simple matter of critics accusing and the criticized defending. Unfortunately, the issue cannot be set out so easily and clearly. Certainly movements do engage to a substantial degree in denying allegations. But they, their defenders, and many seemingly disinterested authorities choose as much to attack as to defend. They challenge many of the detractors' basic assumptions and question the honesty of some motives.

Even the terminology which critics use is a source of contention. For example, while the term "cult" has a non-pejorative dictionary meaning, most groups, to which it might objectively be applied, reject it absolutely. They say that when critics use the term, it implies corruption. At best, the term has come to symbolize excessiveness, fanatic-

icism, and irrationality. At worst, it serves as a synonym for a collective evil, and some critics employ it in this sense. And the word "sect," objectively an even less offensive term, is said to have become interchangeable with "cult" in the lexicon of many anti-cultists. Even "new religion" has come under attack. Although ostensibly employed as neutral terminology, it is said, the euphemism often is intended to trivialize and impute a lack of time-tested substance to movements with roots in traditions that go back thousands of years.

The groups and their defenders say that couching issues in that kind of tainted terminology makes honest discussion all but impossible. They add it becomes difficult because of critics' calculated disregard for the fact that the groups are extraordinarily diverse in terms of origin, beliefs, structures, practices, and size. Many commentators, like M.D. Bryant and Rodney Sawatsky, University of Waterloo religion professors, accept that "there may be features of a given group that bear careful scrutiny." However, they contend that the indiscriminate allegations of many critics often are distortions born of prejudice. Hence, representatives of a company that markets meditative relaxation techniques to a broad range of people, none of whom are enlisted as continuing members, tend to bridle at being examined in the context of tightly-organized, closely-disciplined cults. An official of an ascetic Eastern religious movement, in which devotees follow ancient Hindu scriptures, expresses

dismay at his group being classed with what he considers "pseudo-religions" based on some untried, latter-day revelation. And the founder of a commercial mind-expansion company laughs mirthlessly at his low-pressure operation being grouped with mind development movements, which employ emotionally-taxing confrontation techniques and promote dependence on their charismatic leaders. Groups and their defenders say it defies logic to contend that a broad range of questionable motives, principles, and practices could be attributed with any degree of uniformity to so heterogeneous a set of organizations.

Fear Breeds Intolerance

The illogic of the assaults on the movements is said to be reflected in other ways as well. Partisans on the other side say it also is manifested in the unwarranted virulence of the anti-cultists' campaign against a rather minor phenomenon. Bryant and Sawatsky, president of Canadians for the Preservation of Religious Liberty, caution in a recent publication:

...in a time when there are those in our society who would counsel alarm and hostility to these movements, it is wise to measure our concern against the relatively small size of these groups. Although it makes terrific copy to speak about those 'fast growing groups' whose membership is increasing by 'leaps and bounds' in a year, it does not necessarily give an accurate picture of the real state of affairs. Often such phrases as 'fast growing' mean that a particular group has grown from 30 to 90 or from 100 to 400.

If there is so little foundation for the way the movements and issues that surround them have been portrayed,

why, then, has so vociferous and widespread an opposition to them emerged? Groups and their allies say the answer simply is fear of the new or strange, and this fear breeds intolerance and provokes suppression. They argue that movements represent a threat to some established ideologies, institutions, and interest groups in our society. The guardians of those establishments are simply responding in classical fashion by using tried and true techniques of minority persecution.

Ideologically, the conflict between the groups and the larger society is described by some as a clash between behaviorist influences that prevail in secular Western culture and the more "humanist" philosophies of the new movements. Proponents of this view argue that under the rule of behaviorist science, notions of man as a creature aspiring to freedom and completion of a higher purpose have been debased as unscientific and suspect. Instead, men have become convinced that they are machines or animals driven by sexual appetities, class interest, genetic programming, economic self-concern and other negative motivations. Accordingly, the social system rewards those who curb the animal side of their nature -- those who behave, achieve, and act responsibly. And the individual, imbued by behaviorist psychology with a sense of guilt and self-loathing, submits. Men fear themselves. And that self-hatred makes them obedient to the inequitable and suppressive social system from which they seek approval.

Most movements, on the other hand, are said to proceed from a difficult understanding of man's nature. Theodore Roszak, social historian at the California State University, explained: "They invite us to relax, enjoy, unfold; they permit us to assert our essential innocence. Indeed, it is by now notorious that the imported Oriental disciplines teach our inherent divinity." It is that notion of innocence that Roszak and others believe makes the movements seem so dangerous to many of their critics. As Roszak said:

Beyond the use of naked power, society has very little leverage with innocent people. It cannot manipulate or mystify them into endorsing their own subjugation. It cannot make them despise themselves and so bow down to their prescribed duty...I suspect that a society built upon that conviction of innocence (if there should ever be one) would lack all the psychic compulsions on which industrial discipline is based. Innocent people are not submissive people. They will not suffer the punishment of an alienated existence as if they deserved to be condemned to that death-in-life. They are apt to demand too many rights in the world, not the least of all to know themselves and to be themselves.

Analysing the clash-of-ideologies argument in different terms, Dick Anthony, a social scientist at the Graduate Theological Union at Berkeley, said it is a distortion to characterize the conflict as one that pits secular, liberal society against conformist, anti-libertarian movements. He said U.S. -- and by extension, we can assume, Canadian -- society is highly conformist. For all their theoretical commitment to individual freedom, pluralism, and other such values, most members of society feel committed

to a tacit covenant under which they conform to an unstated but clearly understood set of values. Anthony and others of this view say it is as though people were bound together by a firmly-established civil religion. And adherents of that religion are following a classical tradition in religious persecutions of castigating minorities for what really are the failings of society. As Anthony explained:

(Criticism of the movements) sounds as if we're just frankly individualistic and secular and we're uptight about these movements because they're conformist and involved in some sort of covenant. I don't think that's the rivalry. I think the rivalry is between one kind of covenant and a more frankly collectivist covenant, and that's why people find it meaningful or entertaining or interesting to seize upon a symbolic contrast group, a kind of scapegoating mechanism to shore up the conventional covenant.

This scapegoating theme is a common one in responses to anti-cultist attacks. It arises again in views expressed by Harvard divinity professor Harvey Cox at a 1977 Toronto conference on deprogramming. Cox said many of the chief criticisms of the movements are modern versions of standard myths, which have been used through the ages to harass and persecute adherents of minority beliefs. The content of specific myths will be elaborated later as responses to specific anti-cultist allegations are examined. Cox said myths about cultic brainwashing, deception, or other practices are society's defence mechanisms. He contended that the phenomenon of young people rejecting conventional life-styles to join radical groups reflects society's failures. But, rather than engage in introspection, society responds by scapegoating. As he said:

We can see (the movements), as appealing to a certain kind of idealism, simplicity, encouraging people to sacrifice, to work hard for higher objectives, whereas everything else in this society is saying, 'Get your degree, get your money, get your job, get your references, get rich, and so on.' Somehow or other, we do not want to face that alternative appeal, and so out of the depths of the collective psyche these myths emerge to protect us from just that kind of self-awareness and self-scrutiny.

In the analysis of responses to specific anti-cult allegations, effort has been made to follow topics discussed in the foregoing section. However, this can only be approximate at best because defenders and spokesmen of movements, groups, and organizations view some allegations as unworthy of comment, and other allegations are construed differently from the way they are set out by anti-cultists.

The Brainwashing Myth

A person can no more wash another's brain with coercion or conversation than he can make him bleed with a cutting remark.

With that cutting remark, Dr. Thomas Szasz, an outspoken U.S. "anti-psychiatrist," has carved his way into the ranks of authorities frequently quoted in the case against anti-cultist charges of mental coercion. But this statement does not answer the claim that the movements' conversions amount to brainwashing. It does summarize the contempt held by the groups and many others -- not all of them pro-movement partisans -- involving allegations that recruits are brainwashed hypnotized or sapped of free will in any manner. Those who reject claims of mind control say that short of a technique employing physical restraint and coercion, no method of

persuasion can totally numb one's capacity to exercise free will. Like others who hold this view, Dr. Fred Glaser, head of psychiatry at the clinical institute of Ontario's Addiction Research Foundation, found suggestions to the contrary "completely unacceptable." Dr. Glaser has contended that even under the pressure of inadequate sleep, diet change, prolonged chanting, and other practices attributed to the movements, "there is always that core of saneness and reason you can ally yourself with."

And he described as ridiculous claims that recruits are hypnotically coerced into what, for them, are radically uncharacteristic forms of behaviour. He added that since the recruits are willing to accept these changes in social situations they have chosen, they therefore comply with demands. As he explained it:

I studied with one of the guys who testified in the Patty Hearst case and he taught me that the trance stage was nothing more than a social demand situation in which people were more likely to do what they were asked to do. I did a number of very interesting experiments which suggested that hypnosis was not a state but an interpersonal situation in which behaviour, because of the social demand characteristics of the situation, became more malleable. There was no such thing as trance state; that was a misnomer. And in that circumstance, one doesn't have to use a trance state to explain why those people do what they do.

Deny Using Hypnotism and Brainwashing

The groups deny allegations that they indulge in hypnosis. A movement leader whose Toronto mind development group has been a particular target of hypnosis accusations told the study:

We do meditation and meditation is a bit like hypnosis -- but so are a lot of other practices. People don't understand why they feel so good after the course is over and hypnotism just seems like a simple explanation to them. They use post-hypnotic suggestion to explain why they proselytize. It's suggested to them by relatives to explain their high involvement in (the movement).

Other groups agree that they do indulge in various practices, such as chanting, dancing, and diet control as matters of religious ritual for the sake of achieving desired states or levels of spirituality. The practices are not performed to weaken wills and bend minds, and no one is coerced into participating.

Many find the brainwashing allegation unacceptable because of the lack of physical force used by groups. Lifton and others say such forms of coercion are not essential. They say that without that element, the analogy between movement practices and classical brainwashing is a crude and unwarranted metaphor. Sociologist Thomas Robbins of City University of New York and Anthony, the Berkeley researcher, have said it is unreasonable to equate the "milieu control" some groups exercise with imprisonment in the guarded, fenced-in compounds of prisoner-of-war camps. While isolation is a characteristic of many movements, it is not similar to that imposed in true brainwashing. "(Members of a group) witnessing on city streets," they said, "are susceptible to numerous influences which the Church cannot really control. Not infrequently the putatively robotized members of a controversial 'cult' are actually living and/or

working outside of the movement."

Practices of Older Religions

As Robbins and Anthony conceded, the conversion techniques of cults, sects, new religions, and mind development groups are not entirely devoid of elements that can at least loosely be associated with brainwashing. However, they and many others contend that this is not a new phenomenon among mainline or fringe religions and it is far from exclusive to radical groups. Robbins and Anthony noted that historian E.R. Dodds wrote that Christianity in the twilight of the Roman Empire "lifted the burden of freedom from the shoulders of the individual: one choice, one irrevocable choice, and the road to salvation was clear...in an age of anxiety any 'totalistic' creed exerts a powerful attraction..." Others note that the evangelists of the 19th century religious renaissance in the U.S. adhered to soul-saving instructions that read like something out of a present-day indictment of cults. Charles Grandison Finney, one of the most successful evangelists of the 1800s, advised his apprentices to work on the potential convert's sense of guilt. He urged:

Everything must be put to the potential converts in simple black and white...Listeners must be made to feel they are their own destroyers, that fallen, dependent and lost as they are, salvation is most freely and sincerely offered to them, and that if they perish, the blame must forever rest upon themselves...Take pains to learn the state of (the convert's) mind -- what he is thinking of, how he feels and what he feels most deeply upon -- and then press that thoroughly; and do not divert his mind by talking about anything else. Do not fear to press that point for fear of driving him to distraction...You should clear up the point, throw the light of truth all around it, and bring the soul to yield, and then the mind is at rest.

Even the responses of today's critics to the operations of radical movements have their antecedents in the reactions of many a 19th century critic of evangelism. Witness this assault by John William Nevins, a Presbyterian minister of the time:

...revival machinery (is) solemn tricks for effect, decision displays at the bidding of a preacher, genuflections and prostrations in the aisle or round the altar, noise and disorder, extravagance and rant, mechanical conversions, justification by feeling rather than faith, and encouragement ministered to all fanatical impressions.

And many of the anti-cultists' opponents argue that there are as many elements of mind control in the practices of accepted religions as in those of the new groups. They point to the more conservative or fundamentalist of the mainline churches. And they are particularly fond of noting that U.S. President Jimmy Carter is a "born-again" member of such a faith.

Religious historian J. Stillson Judah of the Graduate Theological Union at Berkeley, California, argues that the society in which one grows up exercises a substantial degree of mind control. "The fact that most of the people of Burma or Thailand are Buddhists, those in Egypt are Moslems, and most in Spain are Roman Catholics," he says, "cannot be ascribed to their absolutely free choice of a religion." And, in the same vein, a paper submitted to the Attorney General of Ontario in 1979 by the Council of Scientology Parishioners said:

Indeed, if you want an effective recruitment

method, then consider the practice of christening your baby into your religion...Will the government then try to prevent such -- do they intend legislation against 2.5 million Catholics in Ontario or ordering them to cease baptizing their infants? Or do they intend banning the practice of circumcision for Jewish boys, or perhaps they plan to tell the 540,000 Presbyterians that Sunday School must stop immediately.

And, carrying the argument still further, its proponents ask: is there a significant difference between the influences exercised on a youth at a movement weekend retreat and those imposed during a weekend at a denominational summer camp? How does chanting a mantra or meditating differ from saying a rosary, or participating in responsive prayer? What is the distinction between the fear for the soul engendered by preaching in a new religious group and that stirred up by a fire-and-brimstone sermon in a traditional church? Why is the ascetic life-style and insulation garb of a devotee in an ashram less acceptable than that of a cloistered nun?

Religion is not the only sphere in which society is said to indulge hypocritically in practices for which it condemns movements. Even Lifton, among other authorities invoked by the anti-cultists, acknowledged that some degree of thought control is an element in all organizations. And many spokesmen for the movements, as well as others, contend that thought control is exercised every day by educators, psychologists, psychiatrists, politicians, media, and advertisers to bend people to the will of society's power brokers.

As for the extraordinary, often self-denying commitment members develop for their movements, a phenomenon which critics attribute to brainwashing or hypnosis, Dr. Saul Levine noted in his sub-study for this project that such commitment is not unknown elsewhere:

Lest we conclude that these types of groups are the only ones in society which attract potential true believers, one need only look at groups such as health food addicts, the religious joggers, the political underground adherents and faith-healing disciples. At times there is the same kind of narrowing interest, suspension of critical judgment, total unequivocal involvement, verbal preoccupation ad nauseam, and proselytizing that are commonly seen in the groups under discussion.

In the same vein as Dr. Levine's latter point, Robbins and Anthony acknowledge that conversion to a rigid and dogmatic ideology may result in the reduced intellectual and creative capability, which parents and other critics claim to see in members of various groups. However, they insist that there are no grounds for inferring that brainwashing was the cause. It is so easily conceivable that voluntary conversion to such ideologies could yield these consequences.

Myth of the Evil Eye

But if the brainwashing allegation is so questionable, why has it persisted? Part of the answer may lie in an understanding of what Harvey Cox, the Harvard divinity professor, called the myth of the evil eye. Cox said history is mottled with religious persecutions based on the belief that members of a hated group are bound to it by evil powers

beyond their control. Sometimes the member is seen as both the victim of the malevolent, dominating power, and its agent insofar as he collaborates in extending its dominion over others. But whether the force is some supernatural power or a human influence, it always is external to the member, a being that captures his mind and soul.

Clearly, when seen in the light of Cox's myth theory, allegations of brainwashing and hypnotism persist as defence mechanisms. Former members can use them to absolve themselves of the guilt and shame they feel after having adopted such bizarre beliefs and life-styles and having caused family and friends such embarrassment and anguish. For their part, family and friends can employ these mechanisms to counteract resentment they feel toward the member for the pain he has caused, to allay their own guilt at perhaps having helped to precipitate the "disaster" and to minimize their embarrassment.

In addition to being characterized as defence mechanisms employed by individuals, allegations of brainwashing and hypnosis against cults, sects, mind development groups and new religions also are seen as what Robbins and Anthony call "social weapons." They explained that for a society that professes libertarian values, notions of mind control are an ideal libertarian rationale for the suppression of unpopular social movements and beliefs. This rationale lends legitimacy to claims by the authorities when moving against a member or movement. The authorities say they are

not concerned with the content of belief but the way it is induced. "Utilizing this rationale," Robbins and Anthony said, "one can apply pressure to religious and political movements and even subject their adherents to forcible confinement and counter-indoctrination without conceding any intention of suppressing a point of view." Cox said society employs a classical myth, the myth of the benevolent inquisitor, which suggests that what is done to the "heretic" is done for his own good. Analogizing to the Spanish Inquisition, Cox said: "We think they were just nasty people, or selfish -- and they probably were, in addition, but I believe they really felt, just like any deprogrammer, that they were treating these people ultimately for their own good."

Accordingly, opponents of the brainwashing concept, say deprogramming with the physical abuse and violation of individual rights that attend it becomes accepted as an act of "liberation." As has happened in the U.S., courts grant applications for conservatorships and allow the confinement of group members without due process "in their own interest." In Ontario, a member of the Provincial Parliament, acting "in the public interest," has attempted to curtail the groups legislatively.

True Conversions

Groups insist there is no scientifically valid evidence to support allegations of brainwashing or hypnosis. However, they contend evidence exists that members undergo true conversions. Judah purported to demonstrate this. He

said the first step in brainwashing, the breaking down of the recruit's beliefs and identifications, was not a factor in conversions among members of several major religious movements he surveyed. Converts had been dissatisfied with their culture and its religions and disaffected from former associations before joining their movements. They were seeking alternatives and, Judah argued, their entry into their movements must be considered religious conversion. "Their most common testimony," said Judah, "was concerning the lack of purpose and direction in their lives they had experienced before their conversion, and how their conversion gave new meaning to life."

Similarly, most members of various groups in Ontario interviewed by the study said they had come to their movements seeking answers to problems and a more satisfying life-style. About half of them were searching specifically for spiritual experiences.

Many observers and the groups themselves note that most movements, even those reputed to encapsulate members most effectively, have a constant flow of incoming recruits and outgoing drop outs. They say this would suggest that whatever the groups do, which might reflect elements of brainwashing, is not intense. Additionally, though, a significant proportion of those who initially attend a movement's meetings never end up joining. Dr. Glaser of the Addiction Research Foundation said he recalled a research report that suggested only four per cent of those who attended

an international religious movement's weekend retreats continued with the group. "That's not very good brainwashing," he said.

THE MYTH OF UNHEALTHY HERESIES

When the authenticity of faith is determined by its presumed effects on body or psyche, the therapeutic state is upon us, opponents of anti-cultism warn. Society delegates to physicians the power to determine what is good for the body politic -- or, perhaps more accurately, the spirit. Legitimacy of belief is based upon how "well adjusted" its adherents seem to be.

And Cox said such a circumstance would mean the myth of healthy religion is at play, that is, the assumption that some faiths are healthy and some unhealthy. But those who propagate the myth fail to recognize that efforts to assess belief on the basis of whether it is healthy necessarily are tinged with cultural and class biases. Cox added that even by the most benign definition of healthy religion, the only faith that would meet criteria of normalcy prevalent in Western culture would be "conventional Christianity of a fairly cooled-out nature." It certainly would not be fanatical, but would be geared to help a person get along well, perhaps even succeed, in a capitalistic-industrialist society. Cox said:

...religion is judged healthy or neurotic, not on its own terms, but according to how much and to what extent it contributes to the type of personality the therapist finds desirable in society. St. Paul

would certainly not qualify as a person of healthy religion...What would ever have happened to St. John of the Cross under this rubric, to say nothing of the Baal-shem-tov?

But even when movements do address allegations that their practices damage members' health, they contend that the evidence does not support the accusations. In their 1979 submission to the Attorney General, the Canadian Scientologists assailed claims that practices of a mind development group had precipitated breakdowns requiring psychiatric intervention. The document said there had been only seven such cases reported over the previous four years. It suggested that even if one accepted that there was some link between the course and severe mental stress -- a link that had not been proved -- the casualty figures would not be meaningful. Stresses experienced by participants in the mind development program were portrayed as just a minor part of stresses in life. Statistically in view of the number of breakdowns they cause, these other stresses seemed of far greater consequence. Enumerating some of these other stresses, the Scientology document asked:

Shall the government therefore ban marriage because unhappy marriage has been shown to make people vulnerable to mental stress and psychiatric breakdown? Shall the government ban study and schools and universities because study problems have shown to make students vulnerable to depression and anxiety and psychiatric problems?...

Perhaps older people should be banned from working in case it should induce psychiatric illness. Or should they ban children from leaving home, moving, arguments, illness, school, group homes and alcohol?

Or shall we make it easy, and simply ban life itself?

In interviews with the study, most clinicians, including most of those who felt movements did have negative effects on health, agreed that evidence of such links was extremely difficult to obtain and was inconclusive. Moreover, even when members broke down during their participation in various groups, clinicians admitted the breakdowns conceivably could have been precipitated in other situations by other stresses.

Positive Results

In his report, Dr. Levine noted that the movements seem for many members to be emotionally and psychologically stabilizing factors. They deliver antidotes to the demoralization, pessimism, powerlessness, alienation, and other dilemmas afflicting many who join them. Concerning groups in his therapeutic category, Dr. Levine said:

...the majority of people who go through these experiences report positive effects. They talk of heightened awareness, self-realization, personal growth, and spiritual awakening...they feel happier, better about themselves, and commonly experience an intense euphoria...Relatively few individuals who have participated in these groups relate a totally negative experience...

...The member has never felt better...He is feeling stronger, sleeping and eating better, and his anxiety level (felt tension) has diminished markedly. He is off drugs, if that was a problem, and no longer feels alienated and demoralized. He feels as an integral part of a group which accepts, nurtures and supports him. He also experiences a spiritual awakening, which is both novel and exciting. He now has an intense belief system and is a member of a powerful group.

Echoing the sentiments of respondents in Dr. Levine's research, active group members told the study their

involvement had made them "more stable," "freer of confusion," "stronger," or "more confident." Many believed their physical health had improved, often as a result of having been able to gain a new dietary or relaxation regimen. Or it improved after giving up tobacco, alcohol, drugs, and a generally debilitating life-style. They also said they felt more alert and productive.

And, group spokesmen denied that they claimed to be able to cure illness or counselled against medical treatment. At the same time, they said the easing of stress and relief of psychological factors, prominent in many illnesses, often are by-products of practices and beliefs.

To augment the testimony of practitioners, spokesmen for a prominent international meditation movement present many research reports to document their claims about the extraordinary health benefits, brought by the practice of their techniques. Bearing the names of researchers in a broad range of health-related sciences, the reports purport to demonstrate that the technique reduces heart rate, lowers blood pressure, eases breathing difficulties, and reduces neuroticism among many other things. Spokesmen insist that ultimately it literally can bring the practitioner perfect health.

Additionally, Dr. Levine noted in his substudy: "One paradox for critics of cults and mental health professionals occurs when an intense belief system and sense of

belonging captivate a young person, he or she is less liable to be hospitalized, suicidal or jailed for overtly anti-social acts." The symptoms associated with mental illness, he explained, are diminished.

Indeed, some psychiatric authorities portray the movements as therapeutic communities. Dr. E. Mansell Pattison, a University of California psychiatry professor, described them as "alternative healing social networks." Dr. Pattison explained that they are "alternatives" because they generally compete with and oppose standard mental health norms and methods while sharing many therapeutic goals. "They do not offer 'mental health,'" he said, "but health of the whole person. They do not intend to help one cope with reality but, rather, offer a new sense of reality."

Dr. Levine, echoing doubts of other researchers as well as his own, questioned what critics of the movements have called the cult indoctrinee syndrome, which is a collection of symptoms, such as zombie-like responses or childish regression said to afflict group members. Dr. Levine said it may well occur in some instances but "the syndrome is not representative of the majority of cult members." Moreover, he said similar symptoms have been ascribed to adherents of a wide range of movements that normally do not raise the ire of the general population.

...this author has been visited by frantic parents whose sons or daughters belong to fundamentalist Christian communes, or have become born-again Christians or belong to offshoots of the Lubavitch Orthodox Movement in Judaism. There have also

been complaints from parents whose youngsters (usually in their twenties) are in small groups of five or six persons running a thriving business. Yet the groups are intensely involved in a particular exotic belief system or use music as their chief means of communication, activity and worship.

Parents may object to a group because its life-style is totally abhorrent to theirs but does not appear to be religious in any traditional sense.

THE MYTH OF DECEPTION

Of all the entries in Cox's compendium of anti-cult myths, perhaps the most perplexing for the groups and their defenders involves his dissimulation myth. "According to this component of the myth cluster," he explained, "conscious falsification is legitimated by the theology of the group." Cox said Jews were abused in the unfounded belief that they considered themselves absolved of promises made during the year by chanting the Kol Nidre prayer on the annual Day of Atonement. Roman Catholics in many countries were suspected of dissembling to hide their refusal of loyalty to non-Catholic sovereigns. And today the myth persists, manifesting itself in the claim that groups indulge in "heavenly deception" or religiously rationalized lying.

In Cox's view, the myth is both discriminatory and counter-productive. As with other myths, it submits as legitimate the persecution of the movements. At the same time, it acts as a barrier to communication between the groups and society as a whole. The myth also colours perception. Cox explained:

There are probably people who occasionally lie or dissimulate in all religious groups. In the case of a majority movement, this is attributed to the individual, seen as an exception, whereas the same act, if it is perpetrated by a member of the minority group, is of course perceived as sure and certain evidence that all members are probably up to that as well. And if they are caught being honest and not lying, this is a tactic preparing the ground for later dissimulation, or a lapse of judgment, or an exception.

As a result, Cox said, communication with a group or sometimes even a member is deemed fruitless because it is assumed the response will be a lie or a ploy.

There also is something of a self-fulfilling prophecy at play here, according to Cox. He explained that "the more persecuted the group becomes, the more its members do, in fact, turn to a kind of evasion and dissimulation because, if they were candid and admitted what they were doing, they would encounter hostility."

Since key figures in some groups, alleged to practise specific forms of deception or fraud, chose not to meet with the study, it is a matter of speculation on how they would have handled those charges. But many replies of members or spokesmen from movements, who did co-operate with the study, clearly reflect an appreciation among the groups for Cox's analyses.

Financial Affairs

The most common charge against some movements involves members disguising their affiliations and true purpose during soliciting for handouts or selling goods in

support of their groups. In response members and spokesmen of movements say their groups operate according to a policy of basic honesty and instruct their members to identify their movements when fund raising. Group spokesmen explain if fund raisers resort to deception, such an approach usually is undertaken on the individual's own initiative. It is a manifestation of misguided zeal or a harmless ruse designed to circumvent the initial hostility a canvasser might expect in view of his movement's bad public image.

A member of an Eastern religious movement said he had witnessed fellow canvassers telling potential donors they were collecting money for some children's charity. "But you can't criticize the movement for that, you have to criticize the person. One world leader came to our temple and he said you should tell people who you represent. But the way it happens, a lot of members are so interested in getting a lot of money for the cause that they mislead people."

A spokesman for the Toronto temple of the same group also admitted to the study that members, who normally wear distinctive robes, occasionally had dressed in business suits while distributing literature. "It is just a practical measure," he told the study. "It helps people approach us more easily...We don't see it as a deception because we have a philosophical belief in the literature and believe it is good for people." He added that the movement's identity is clear from its material. Moreover, members carry badges

identifying the group by its acronym. The spokesman acknowledged that most people might not recognize the group by the acronym but said it was the movement's registered name. It was used in the first moments of an encounter because of the negative attitude toward the group that media had promoted among the public. The spokesman said that soon after offering their literature members used the group's more common name.

Sontag's View

In a published interview with a U.S. theologian Dr. Frederick Sontag, the leader of an international religious movement, which is said to have started the term "heavenly deception," also commented on statements that his followers use deceit in fund raising:

I emphasize that they must present themselves as the ambassadors of God and tell people who they are first...I tell them it is wrong not to speak out for fear of bringing greater persecution to themselves, because that greater persecution will bring equally greater blessing...Some local leaders may have tried to be expedient, but they didn't have any bad motivation. I can understand why such things may have happened in the face of persecution, but I do not condone such action.

In his analysis of the movement's fund raising, Sontag said it is certain that deception sometimes occurs, but he commented further:

...the sales technique clearly is to establish a personal relationship first and not to hit the people they approach with the church name immediately...It is clear that top-level official church advice is for honesty and legality. If you insist on immediate labelling, their fund raising techniques will always seem 'dishonest', no matter how legally it is done.

In a provocative assessment of the motives behind attacks on this group's fund raising, Sontag said: "I suspect it is the use of the funds collected that bothers most people, not so much any real knowledge of illegal or fraudulent means." He said that rather than supporting charities as traditional churches claim to do, this movement invests in its own centres, real estate, and conferences in the belief that its programs will establish the kingdom of God on earth. "Few outside accept this program," said Sontag, "and so cannot accept the fund raising as legitimate."

In much the same context, Sontag takes up a charge critics level against virtually all movements. Movements are said to deceive members into believing their real purpose is spiritual salvation while the maintenance of their leaders' ostentatious life-styles is the goal. Sontag said:

We have, of course, been agonizing for a long time over the question of whether we should require vows of poverty from all full-time religious people. Some individuals adopt this style, but there has been no universal agreement about the virtue of poverty among all who are religious.

Referring specifically to the movement he was examining, he added:

The basic underlying dilemma is whether any one individual or group of the leadership profits personally from the accumulated wealth. Of course, the leaders enjoy certain privileges of control, as any executive does...They categorically deny that anyone, (the leader) included, uses these resources for his personal gain.

Another source within the same movement, a leadership training manual, explains the leader's apparent affluence

in a more theological way. It suggests that man must not lay direct claim to material things since all things are God's creation. They must first be given into God's dominion and, through Him, returned to mankind. The manual says: "Everything must be offered to God through Father (the title given the leader) and God will give us the same things through Father."

And in an interview with the study, a spokesman for a Toronto-based spiritual movement summarized views of members of various groups, challenged about their leaders' apparent wealth: "Why shouldn't spirituality and abundance go together?" she demanded rhetorically.

At the same time, the Scientologists' submission to the Attorney General gives the lie to the notion that the financial preoccupations of the movements are somehow inappropriate for groups claiming a spiritual orientation. The document said:

No money equals no group. That is not a hard equation to work out.

Religion of any kind relies entirely upon its followers for survival. That has gone on since religion began, and if it had not, why then there would be no religion. Many young people still give all their wealth to the Catholic Church to become nuns and priests. Others give and bequeath whole fortunes to the church of their choice.

Recruiting

As Scientologists say, movements, like traditional religions, rely on their followers for survival. And, groups say they are as much maligned in terms of how they amass

their followings as how they amass their treasuries.

Of all the movements, there is perhaps one that anti-cultists consider a paradigm of deceptiveness in recruiting. The group is the international religious movement that allegedly lures unsuspecting prospects to its country retreats to brainwash them before they realize the group's identity and purpose. The director of the movement's Canadian operations, said tales of that kind have been associated with the group's San Francisco, California, organization. He told the study those alleged techniques are not applicable in Canada. The movement's proselytizers do identify themselves when approaching potential recruits? "Very definitely," he said. "We're clear about who we are. If we weren't, if we didn't say who we are, how would people know what we represent?" Attempting to explain why some people may think the group's recruiters do not identify themselves, his wife said that sometimes people she approaches do not recognize the movement's proper name. Indeed, some individuals, who had been contacted by the group's recruiters, said they would not recognize its formal name and would have known it only by the leader's name. One complainant told the study she had seen the formal name on a plaque at the movement's Toronto headquarters and had seen a small picture of the leader there but still had not remembered the group's identity.

In Sontag's interview, the leader of this movement also deals with its alleged use of front organizations to

attract finances and recruits indirectly. Like spokesmen for other movements, the leader rejects the description of these entities as "fronts." He said:

...it is a word the media use. We have many organizations, but not 'front' organizations. They each have legitimate purposes to serve humanity in various ways...Each organization exists because there are necessary projects to fulfil. Each one has its own distinct function...Ultimately, we want to serve all human needs...We are not shying away from the world. Our movement is a movement of action, not just of meditation.

Do members always know that such organizations are fostered by the movement? Most often, but not necessarily, said the head of the group's Canadian operations. He said that though started and still funded by the movement, some organizations are independent and have no theological orientation. They often support social or political positions in tune with those of the movement but one need not accept the group's theology to belong.

In any event, there is precedent among traditional churches for the establishment of organizations whose origins are not necessarily hidden, but also not actively publicized. Anthropologist Dr. Theodore Schwartz of the University of California at San Diego told the study the Roman Catholic Church had lay groups that were not generally known to be Catholic. He said other Christian churches, particularly fundamentalists, maintained secular groups and businesses with undisclosed roots. He referred to a prominent Bible society that operates a linguistic institute in the U.S.,

Canada, and other countries without publicly acknowledging parenthood. Moreover, movement spokesmen say critics are guilty of gross inconsistencies in this regard. On the one hand, they rail at groups for conducting no social services, yet accuse the movements of using social services as fronts when they do.

And in an argument reminiscent once again of Cox's dissimulation myth, York University sociologist R.M. Weisman questioned criticism especially of therapeutic groups for using "come-ons" and "gimmicks" to attract recruits. Unlike the helping professions with state-approved control of certain services and a captive clientele, the "de-professionalized helpers" must compete for clients in the market place. Hence, they "often appear crude and venal" in their methods and strike "somewhat undignified postures" in their proselytizing. But it is a position many claim, the system has relegated to them.

THE MYTH OF SUBVERSION

In any pluralist society, wars against social and religious heresies are intolerable unless dissidents can be characterized as agents of chaos and disorder. Accordingly, the movements and their defenders say anti-cultists today devote much energy to shoring up unfounded claims that cults, sects, mind development groups, or new religions threaten institutions and norms essential to social stability. As Cox said we are witnessing the resurrection of a classic

theme in persecution, which is the myth of the heretic as subversive.

Unwilling to acknowledge that it has allowed its fundamental values and institutions to erode, society turns on those whose alternatives represent a challenge and portrays the challengers as the cause of the erosion. Additionally, Cox said it is argued that since the dissidents threaten public order, this must be their true purpose, and their spiritual or religious claims can be taken as a cover. From there it is only a short and, by virtue of the myth, legitimate step to using state power to control or harass the "enemy." "It is also, therefore, not surprising," said Cox, "to find that a good deal of the literature today criticizes new religious movements as constituting somehow a political threat, either from the left or from the right."

Family Relationships

As analysed by the movements and many others, there is more than just a little irony in the anti-cultist claim that the groups "kidnap" children and turn them against their parents. Indeed, they say that in view of the anti-cultists' professed concern for freedom of the individual, the claim is downright hypocritical and constitutes a virtually total distortion of fact.

The "children" who allegedly are taken against their will, are almost always of the legal age to make their own decisions in matters of belief and association. In joining

a movement, they simply are exercising that right. Many proponents of this view contend that to characterize them as children is a calculated attempt to reduce them to dependent status. Thereby, this denies their right to freedom of choice and paves the way for deprogramming or some other form of intervention.

In any case, it is argued that the groups do not calculatedly alienate members from their families. Indeed, most claim to promote the maintenance of good relationships between members and parents or other relatives. A spokesman for an Eastern religious movement told the study his group welcomed parents of members, who wanted to spend some time living in its temple. In fact, a woman who came to the study to complain about this group, acknowledged that she had stayed for short periods at the temple where her son is a resident.

The leader and other spokesmen for a semi-religious group, which began in Ottawa, admitted in an interview that their movement did try to limit contacts with family so that families would not unduly distract members during courses. However, group spokesmen said parents always were invited to graduation ceremonies, and one Saturday every month during the three-month courses was set aside as a visitors' day. Additionally, families and friends were invited to periodic banquets. But despite this, some adherents did become estranged from their families as a result of the group experience. A member explained:

...with a lot of people, as they become their own person and they become aware of how much they have been influenced by their entourage, their parents, by their friends, a lot of people make an emotional decision to cut themselves off for a while while they discover who they are and whether they can stand as their own person. But then we encourage them to express their appreciation to their parents, to their relatives, to their friends, so that people understand what is happening. There is no meanness, there is no separation. I was at my parents' fortieth anniversary two weeks ago.

The public relations director for an Eastern mystical movement suggested that it would be inherently illogical for a group to operate according to a policy of alienation:

...The fundamental idea of (the movement) is service...to uplift or to ask if we are as conscious as we think we are. Well, then, to alienate people would mean to remove them from the ability to learn what we learn. How are you going to convert someone whom you alienate?... (Family contact) is not discouraged. I think if you have a good relationship with your family, you are more likely to be accepted in the community, more likely to be effective propagating your beliefs.

Even his movement's monks, who are expected to renounce such attachments, were allowed to receive supervised visits from their families, he said.

In another interview, a member of a Toronto-based semi-religious group said, as did followers of other groups, that she had active parental approval for her membership. To illustrate, she related this story:

...I was in Tucson attending a workshop with (the leader) for a week. I had seen my father the day before I left and he was fine. Then my mother phoned me the Friday morning that I was in Tucson and said: 'Your father is not going to live the day,' which was a shock to me. She said: 'Now I want you to stay where you are. I want you to stay with (the leader) and with your family there

because I know that at this time that's the best place for you to be.' ...She has met many of my friends and is always inviting them out with or without me.

Reasons for Family Strife

But ruptures in relationships between group members and their families do occur, and membership in the movements is sometimes a factor. However, it is argued that parents who say they have "lost children to the cults" likely had begun losing them long before these young people joined movements. Even Pennsylvania researchers, Dr. Schwartz and Dr. Kaslow, acknowledged that such conflicts between children and families generally pre-date involvement with the movements. They noted that parent-child relationships, "though possibly undergirded with affection suffer frequently from mutual misunderstandings tinged with resentment and recriminations of non-appreciation...and inter-generational conflict over values and life-styles." They continued:

Idealism, with concomitant anger at parental hypocrisy, real or exaggerated, and at the ills and injustices that exist in our society, is a dominant value in the late teens and early twenties. Social disorganization and political chicanery further contribute to feelings of alienation and disillusionment...The emerging young adult, usually from an upper middle-class background, rejects the obvious materialism surrounding him, and attempts to disassociate himself from the ambition, narcissistic pursuits and superficial concerns that appear to consume his parents' lives. At the same time, the youth seems to sense a serious deficit within the family, an absence of ethical/moral/spiritual values in actual practice and the lack of raison d'etre.

Sociologist Robbins and psychiatrist Anthony describe what they see as the decline of the family in terms

that also suggest membership in the movements as a symptom rather than a cause of parent-child conflict. In their view, institutions such as schools, welfare agencies, the medical profession and psychotherapy have usurped functions once considered to be the province of the family. While stripping the family of its legitimacy, they have not been able to provide the family's interpersonal warmth or commitment. As a result, young people seek new group settings to derive these benefits and many find them in the movements which resemble extended families.

If alienation of child from parents is really a function of tensions internal to the family, why is the disruption of family relationships so widely attributed to the movements? Robbins and Anthony said this phenomenon results from double scapegoating. The institutions, which usurped the family's functions, still blame parents for family problems. Parents, feeling appropriately guilty when children repudiate their social institutions react defensively and blame the movements. And Sontag said the allegation comes from faulty parent-child communications. He said members of an international religious movement told him that their parents mistakenly felt they were close to them or understood them. The parents did not recognize that their children were involved in a search for something until the young people manifested it by joining the movement. Sontag explained:

Family and friends did not know this because, until

the point of conversion, it was an inner search and a private alienation. If difficulties and a lack of communication exist, as long as the child stays on an accepted societal track, alienation can be accepted. But if the child claims he has solved his problems and is happy in the (movement), most parents have trouble accepting this because the new goals and life-style are so foreign.

Many authorities stress that while young people often join movements in reaction to family tensions, many retain a deep affection for and trust of their parents. In cases where parents respond rationally and seek to understand their children's actions, this response can serve as the basis for renewed and strengthened parent-child relationships, movements and their defenders say.

However, it is argued that love and trust frequently are poisoned, not by the movements as their critics claim, but by anti-cultists and advocates of deprogramming whose propaganda taints parents' perceptions and makes them react hysterically.

In defence of the groups, Joseph O'Connell, a University of Toronto religious studies professor, said:

Decent and creative marginal groups are vilified in such a way that parents are dissuaded from using the normal courtesies of visiting and conversing with their adult offspring and the individual's colleagues in the marginal groups...Persons who have some appreciation of the marginal groups and for the persons who form them are maligned and so the parents are discouraged from talking with them.

Law and Morality

The significance of silence can be interpreted in many ways. But, faced with charges that they violate norms of

legality and fundamental morality, many groups respond with a silence they intend to be taken as an expression of contempt for the accusations and the accusers. Thus, while some groups simply did not respond to the study's invitation to discuss such matters, others indicated that they refused to participate in interviews because they were unwilling to dignify what they portrayed as anti-cult fabrications born of fear and bigotry. As a consequence, many claims regarding legal or moral offences attributed to various groups must remain unanswered in the study.

Still, many of the anti-cultists' claims in this regard need not go entirely unchallenged. Several groups did take the opportunity to express their views on these issues to the study. In addition, much scholarly literature in the field discusses such allegations.

Groups and their defenders denied and made counter attacks involving the charge that the groups promote dependency and erode libertarian values. Groups stressed that the "children" whose "kidnapping" the anti-cultists decry are adults who have the right to adopt beliefs and life-styles they find meaningful. For all the unfounded analogizing to brainwashing or hypnotism, they contend that not allowing the legitimate right for people to choose is a denial of their fundamental rights and is anti-libertarian. Indeed, many groups say that if they are opposed to any stream in society, it is anti-libertarianism, because groups serve the cause of self-realization and spiritual

liberation.

Replies to Alleged Intolerance

As for the allegation that the groups harbour a sense of spiritual rectitude that makes them intolerant and leaves no room for religious pluralism, Judah suggested that this view is prejudice masked as liberalism. Judah said many psychologists support the shifting views and secularization of liberal mainline religions as healthy mindedness. "Thus," he said, "the deck is stacked, not only against the conservative so-called cults, but also against those who belong to more conservative or fundamentalist mainline churches." He warned that the right to sacrifice oneself to a faith, devote oneself to religious asceticism or discipline, even to believe in the coming of a messiah is endangered and must be protected.

There remains the allegation that some groups are expressly intolerant of other religions. However, a few members of various groups, who spoke with the study, said they had retained ties with their former churches and felt no conflict with their new beliefs. In fact, some said their associations with their movements had resurrected their flagging faith and had taken them back to churches they had left.

And in answering the American Jewish Committee's accusation that an international religious movement is anti-Semitic, the movement's defenders note that the group attracts an extraordinary number of Jewish converts and many

rank high in its leadership.

Violence Charges Answered

But what of concerns about the alleged tendency to violence and harassment in the movements? Again, if the groups respond at all, it is usually to demean these charges as weapons, which cynical anti-cultists found effective in stirring up sentiment against the groups after the mass suicides and murders at Jonestown. But, they say there is no more legitimacy in equating any of their movements with the People's Temple than in linking any other high-intensity groups with it. Even Lifton, the expert on thought control, convinced of a potential for violence in some groups, has written:

The People's Temple is probably unique among contemporary cults in the degree of its preoccupation with suicide. And, as is often the case, this preoccupation turns out to be inseparable from the potential for violence toward others... No other contemporary cult has had this kind of link between suicide and theology...The suicidal theology, after all, was essentially Jones's own.

None of this is to deny that acts of violence or harassment have been committed on rare occasion by members of various movements. The spokesman for an Eastern mystical movement did acknowledge to the study that some of its members abroad had hi-jacked an airliner and committed suicide in the belief that they were serving their cause. However, he explained: "That kind of thing bothers me very much. These people acted on their own, as individuals. In any missionary organization with idealism there is a desire to do something big and flashy. There is always an opportunity

for emotionally unstable people and we do attract some." And involving his movement's alleged fire bombing in 1977 of the Indian Embassy in Ottawa, he said it could have been done instead by persons committed to support of powers in India, which oppose and seek to defame his leader.

Governments and the Groups

If any allegation served as the inspiration for Cox's myth of the heretic as subversive, it surely must be the anti-cultist claim that some groups seek political power and engage in covert ventures to get it. Yet, the groups that critics identify as chief threats contend that their objective is not to govern nations but to enlighten the leadership that does govern. In Sontag's interview with the leader of the international religious movement against which the charge is most often made, the leader stated the case in terms that other movements could use as well. He said:

Our movement is basically a spiritual and religious one. We are destined to change the world because our goal is not just spiritual but physical as well. It involves everybody. How shall we do it? Not by military take-over or violence, but through a process of education, particularly education of the leadership of nations.

Then, in what seems an explanation of what critics have depicted as his illicit attempts to win U.S. legislators favour, the leader said:

We go out and witness about God not only to the multitude of people on the streets, but also to those people who could lead the country toward God. Our desire is to put new life into their hearts, that they might become God-centred leaders. This is our process for changing the world.

I do not think in terms of taking over the power or government of a nation. I am not ambitious to become a senator or the head of state of this or any other country. But as a messenger of God, my responsibility is to relay the message of God to the people who actually run the country and the society, to those who actually influence the nation.

THE MOVEMENTS AS VICTIMS

Movements flatly reject the statement that tendencies to violence and harassment are characteristic of their psychology or practices. But several do not stop there. Going beyond simple denials, they once again turn the allegation back on critics, charging that it is their groups who suffer harassment, sometimes even violence, at the hands of anti-cultists. Various allegations critics make against the groups are considered to be an integral part of the anti-cultist campaign of harassment and to constitute the "propaganda" elements in the war to suppress movements. Indeed, the allegations serve as grounds for various segments of society to justify more active forms of persecution, especially against larger or more publicly aggressive movements.

Among those who are alleged to engage actively in harassing some movements are parents, clergymen of more traditional religions, politicians, and educators. Hence, anti-cultist forays occasionally have come to light when a Toronto couple lured their daughter home from a religious group's ashram so she could be deprogrammed or when a Presbyterian minister in western Ontario urged legislation

to "curtail the abuse of religious freedom" by some groups. Other examples occurred when a dozen young Jews picketed the home of the leader of a charismatic Christian movement that proselytizes among their people; 98 municipalities endorsed proposals for bylaws to restrict a mind development company; and a member of the Ontario Legislature introduced a bill to "monitor and regulate the activities of cults and mind development groups."

But these attacks are seen by groups as less damaging, abusive, and motivationally sinister than those of mental health professionals, the provincial government, and police, who are purported to favour the anti-cultist cause. It is alleged that each has engaged in unrelenting harassment of the movements, sometimes acting on its own, often acting in concert with one or both of the others.

Professional Harassment

As many advocates of this harassment charge explain, psychology, specifically behaviourist psychology, has become an "establishment cult," with psychiatrists as its leaders. In the secularized state, where there no longer is belief in real conversion, the psychiatrist has become the arbiter of what constitutes "healthy" and acceptable belief. It is a circumstance that gives psychiatrists and others in the mental health professions considerable status and power, which they guard jealously. It is said that these professionals do not gladly suffer "humanist" groups whose spiritual orientation is a direct challenge to rampant behaviourism. They

ardently pursue the suppression of the movements, especially those with a psychotherapeutic orientation, which stands opposed to psychiatry's allegedly heavy reliance on drugs and electro-convulsive shock treatment.

Often, it is alleged harassment takes the form of an isolated act by a psychiatrist or a psychologist against an individual movement. Thus, the spokesman for an Eastern religious movement told the study that a Toronto psychiatrist falsely diagnosed the condition of a devotee of the group in order to keep him in hospital and away from his fellow members.

But, acting in the name of the profession as a whole, the movements maintain, the Ontario Psychological Association (OPA) tried in 1978 to invoke the power of government in its campaign to suppress groups. The OPA proposed legislation, which would permit only OPA members and selected others to practise psychology. Toronto physician Dr. Terry Burrows explained the proposed legislation was an overt attempt to "enshrine behaviourism as the legally dominant paradigm by attempting to secure an exclusive licensing act for university trained practitioners of behavioural psychology." "The Psychologists Act," as the proposal was referred to, would have crippled the non-professional therapeutic groups. It was shelved as a result of negative public reaction, much of which came from more widely accepted therapists. But some of its opponents say the OPA seems intent on redrafting it and trying again.

Government Harassment

Spokesmen for the groups and some of their allies perceive that the Ontario government has been a willing collaborator in the OPA campaign to harass some movements. They allege that three members of the OPA group, which formulated the association's legislative proposals, were senior officials in the Ontario Ministry of Health. Moreover, it is said a committee, appointed by the Minister of Health to consider and make recommendations concerning the legislation, included two members from the OPA, who had been instrumental in its drafting.

It is true that the OPA effort failed, but some movements say the government then proposed to continue its assault on mind expansion groups by conducting a public inquiry into their operations. Ostensibly, the inquiry was required because of psychiatric casualties, allegedly caused by such groups. However, one such group, an international religious movement, commented: "...the question arises to what extent is the government of Ontario being used as the tool of psychological and psychiatric associations to eliminate groups which they either view as 'competition' or which are speaking out against abuses of these professions." Quoting a cabinet minister as saying: "These groups offend me a hell of a lot," the movement said the inquiry would be an inquisition and its biased findings a foregone conclusion.

This group also claims government hostility towards it in other ways during recent years. For example, it had come

under the scrutiny of the provincial Committee on the Healing Arts in 1968 even though it was not a healing organization but a religion, recognized as such in the U.S. and other provinces of Canada. The group also questions the reasons why it and other minority movements were studied while mainline religions that purportedly make healing claims were not. The movement also says a sub-study done for the committee was based largely on unverified material, yet was published, giving its content de facto endorsement of the government.

In addition, this group, an international religious movement, contends that it has been victimized in the government's handling of its application for the right to perform marriages. Having first denied the group's application on the grounds that it was not a religion, the government insisted that a group did not qualify unless it had been in existence 25 years. "The policy, as (Consumer and Commercial Relations) ministry officials understood it, was only hearsay," says the movement, "and subject to differing interpretations depending on which official one was speaking with."

And a Toronto mind development company complains of a form of government abuse by omission. The movement's offices were raided by the Ontario Provincial Police in 1977, two months after it claims to have informed the Deputy Attorney General that it would supply any information on its activities requested. Following the raid, the group commented in a submission to the Premier and cabinet:

The first public allegations of mental harm were made in January of 1977. Why, almost two years later, has no one from the government...been to (the group) to look into our courses to determine whether they are harmful?...Are our courses a threat to mental health or to the mental health establishment?

Police Harassment

If the government is depicted as the willing agent of the psychiatric establishment's policy, the police are often depicted as the highly motivated agents of government policy. In a lengthy litany of complaints against both provincial and some local police forces, various groups make accusations of police harassment and partisan activity in support of anti-cultists. An Eastern religious group says many of its Ontario followers have been subjected to the abusive exercise of police authority while witnessing on the streets. Members often allegedly have had insubstantial charges laid against them, the frivolousness and maliciousness of which, the groups say, are shown when they later were withdrawn or quickly dismissed in court. In a brief to the study, the movement said: "In the past two years (the group) has been forced to spend over \$4,000.00 in lawyer's fees alone. This is discounting the fact that most of the devotees have defended themselves in court without a lawyer; otherwise the fees would have been much higher."

In 31 statements, most of them sworn affidavits, members describe the treatment they allegedly were accorded by police, mostly in Toronto but in several other Ontario centres, such as Woodstock, Brockville and Windsor. A young woman member said Metropolitan Toronto police officers approached

her while she was distributing literature and soliciting for money at the Canadian National Exhibition in 1978:

...two police officers approached me and tightly grabbed my arms, shoved me roughly and in such a way took me to the police station. They used very foul language and asked me personal questions about my married life. They blasphemed (sic) my teacher and our religious beliefs...they called me a prostitute and made lewd propositions. One policeman said that he would like to see me anytime in order to have sex. Their language and manner of relating with me was very offensive to me and entirely sexually oriented...they charged me for breaking a C.N.E. by-law prohibiting solicitation of donations for religious work on their property... the case was thrown out of court in July 1979.

In another Toronto incident, it is alleged that during the summer of 1979, some movement members chanting on the street were accosted by seven or eight policemen. The police reportedly told the members they were under arrest for "impeding." A member of the group recalled the incident:

...One of the officers grabbed my arm and twisted it behind my back. When I protested the unnecessary violence and unwarranted arrest another officer grabbed my other arm and twisted it in the same way. They were using foul language and blaspheming my religion.

...They dragged me over to their car and tried to push me into the half open door. Unfortunately, I had a large drum around my neck and just couldn't fit through. Therefore I protested and tried to stand up. The officer then grabbed my thumb and bent it back as though to break it. They pushed me face down into the gutter and hand-cuffed me. The hand-cuffs were much too tight and caused considerable pain.

...(at the station) One of the officers took my drum and dropped it on the floor with the intention of breaking it. He took my camera and watch and similarly kicked them around the floor.

...The officer who had arrested me took me upstairs and wanted to charge me with 'resisting arrest' and

assault. However, his senior officer dissuaded him on the grounds that he actually had no reason to do this. They charged us for 'impeding.'

In an affidavit referring to an incident in Windsor at Christmas time in 1977, the complainant said he and another devotee, both dressed in Santa Claus suits, were distributing literature and seeking donations. He said two policemen "took out their billy clubs (and) waved them at us" and "made it clear there would be trouble with them if we did not immediately leave town."

As well, an international religious movement complained in a 1978 submission to the Ontario Attorney General that it had been under Ontario Provincial Police (OPP) investigation for at least 10 years with no charges laid against it and no reason given for the police attention. The submission said this was "nothing less than harassment and a gross violation of our civil and religious liberties."

And another group, a mind development movement in Toronto, said in a 1978 submission that it had been trying since 1975, the year complaints about its courses began to surface, to get a "fair investigation by the government of our activities." Instead, the OPP had raided the movement's offices in 1977 and allegedly took "a tremendous volume of books and files, most of which had nothing to do with their investigation." In the course of the raid, it was claimed but denied by the police that officers were sarcastic and rude to staff members, broke open a door that was neither

locked nor jammed, and confiscated items, which clearly were not related to their inquiries.

Police and Deprogramming

But the most serious abuse of which police are accused by the movements, is counselling and actually participating in some deprogramming. "These 'deprogrammers,'" complained an Eastern religious movement's brief to the study, "were deported by the federal government but somehow or other always manage to gain entry to Canada... We have never had any police protection or co-operation during these kidnappings and in fact the police have worked with these people and supported their actions."

In one of the affidavits contained in the brief, a young Toronto woman said Metro police tried to aid her father after he had attempted unsuccessfully to have her deprogrammed. She said she had escaped, returned to the movement's temple, and called her parents to ask them to leave her alone. But she said:

...My father arrived that evening with my uncle and mother to pick me up. The police were also there in a police car. (A police sergeant) came to the door and demanded that I come forward. The devotees asked if they had any legal right to demand my custody or any search warrant. They replied that they did not. The police threatened to get me somehow or other and we realized that I would have to get out of the building before there was trouble. The police were trying to intimidate the devotees to get my custody.

The complainant said the police continued to watch the temple from cars behind and in front of the building but she managed to escape by tricking them.

The same complainant said in another affidavit that, after her deprogramming but before her initial escape, her father and a Metro Toronto police sergeant tried to use her as bait in a trap to attract bad press for the movement. She said:

...My father hired two police officers to follow me on Yonge Street on four or five occasions. This was a set-up by my father and (the police sergeant)...They planned on having me walk slowly down Yonge Street past the devotees who were distributing religious literature...The police officers were to arrest any devotees who approached me and it was expected that the devotees who had been my very close friends would run up to inquire about my welfare since I had been forcibly taken from the temple. They were to arrest them for 'molesting' or 'impeding' ...They then planned on putting a story in the press elaborating on how the (movement) devotees were trying to molest me on the streets and drag me back to the 'cult.'

In yet another affidavit, a 20-year-old devotee says her aunt tried to kidnap her from the movement in 1979, but that the Metro Toronto police officer with whom she spoke advised her to forget it. She said police also questioned some of her aunt's friends, who had aided in the attempted kidnapping, but protected the friends against charges by refusing to give the complainant their names.

Allegedly demonstrating anti-cult partisanship in another instance, OPP officers are said to have instigated public attacks by a defector from an international religious movement against her former group. The group also said that provincial policemen used techniques "almost identical to those used in deprogramming" to get the defector to break all ties and agreements with the movement.

And police are alleged to commit sundry other kinds of abuses in their handling of the groups. The religious movement also said it was the target of police persecution because it sponsors a "commission" which it said unmasked abuse of police power here and abroad. The movement said the OPP is a member of Interpol, the international police organization, which "commission" investigations have shown harbours Nazis in its hierarchy. It is alleged that Interpol has spread false accusations against the movement throughout the world. "Among our concerns," said the movement in its brief to the Attorney General, "is that the OPP files may be used in a disinformation campaign against the Church in retaliation for Church exposés of Interpol."

Yet another complaint comes from the mind development group the OPP raided in 1977. It is claimed that police took the group's mailing list during the raid and used it to send questionnaires to members in an attempt to get information for criminal charges. No charges were laid.

THE MOVEMENTS AS SOCIAL BENEFACTORS

Critics press their claims that cults, sects, mind development groups, and new religions are maleficent forces undermining the life of society as they undermine individual lives. But there is a seemingly equal and opposite argument that groups are social assets. Proponents of this view begin with the point that idealistic young people are

alienated from society. After wandering in this moral wasteland, many young people begin a search for meaning and purpose that they ultimately find only in radical movements. At the very least, then, the movements seem in the opinion of many observers to be havens for the spiritually and ideologically dispossessed.

But, some commentators say that to leave the assessment of the movements' social significance at that point would be to miss the full extent of their potential, an error of omission we would commit at our peril. As one of these commentators, O'Connell of the University of Toronto suggested, many groups and their members are "exemplars," demonstrating new forms of communal life that many more people may want to adapt to wider use in the future.

On the same theme, James T. Richardson, the University of Nevada sociologist, said:

...I think some of that experimentation, particularly the emphasis on the communal -- not just living communally, but the basic philosophy of communalism, merging the individual into some kind of collective self -- I think that's very important because we've tried another approach to living and it doesn't work any more. It's an extremely wasteful, inefficient way to organize society and we tried it out. It was good while it lasted, but we just don't have the resources to maintain it any more and we're going to have to learn to merge and to be willing to live in communal kinds of fashions...When a society does try to suppress this kind of experimentation, there's a very good chance that the society itself suffers in the long run for having disallowed the experimentation that could have been its salvation in the future.

CHAPTER 7THE GOVERNMENT EXPERIENCE IN ONTARIO

In a quest for protection or redress, many a self-proclaimed victim of a cult, sect, mind development group, new religion, or deprogrammer has turned to the law and its agents for help. Police, legislators, regulatory agencies, and lawyers have been called to cope with complaints, including disturbance of the peace, kidnapping and fraud.

Since part of the study's mandate was to assess the need for new legislative approaches to problems posed by the movements or deprogramming, it seemed appropriate for the study to review pertinent existing legislation. The study also sought information involving the kinds of complaints lodged under each statute. It attempted to see how complaints applied to each statute and how administrators handled complaints.

In an effort to collect material for these purposes, the study wrote to provincial ministries and agencies for relevant information. Officials of these offices were interviewed and subsequent contacts were made in several instances. All were asked to keep the study informed of any new information that might add to its considerations. Some had directly pertinent legislation to administer and substantial experience with groups. Others, such as the Ministries of Education, Housing, Community and Social Services and Correctional Services or the Human Rights Commission, appear to have had little

experience in this area and thus could contribute only minimally.

MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS

In its annual report for the year ending March, 1978, the Ministry of Consumer and Commercial Relations outlined the function and operations of its Business Practices Division:

The business practices division is one of the largest in the ministry, with 122 people working in nine offices across the province. The division promotes a high level of quality in the market place by attempting to bring together informed consumers and ethical and responsive business people...to respond to consumer complaints, to anticipate problems in the marketplace and to enforce legislation when necessary.

The scope of the division is broad, covering virtually every transaction in the marketplace through the thirteen Acts under its mandate...Pyramidic sales schemes are also supervised by the division.

Then there is the important area of consumer protection. Through its nine regional offices across the province, the consumer services bureaux handled over 17,000 complaints last year, an increase of 7,000 over the previous year.

In order to provide better service to consumers, the regional offices were reorganized during the year ending March 1978 to allow the 14 regional services officers to do inspections and assist in investigations as well as complaint handling...

Also in the area of increased services to consumers, the division has established a consumer liaison function...Division staff speak to schools, associations and individuals to inform them of their rights and responsibilities in the marketplace.

Clearly, provincial responsibility for the investigation and resolution of consumer complaints against cults, sects, mind development groups, or new religions lies with the Ministry's Business Practices Division, established 5½ years

ago. There are also federal agencies with responsibilities for safeguarding consumer rights. But consumer protection statutes appear particularly applicable to complaints against movements.

The Business Practices Act, 1974, S.O. 1974, c. 131

The Business Practices Act is a provincial regulatory statute, primarily designed to protect the consumer buying goods or services against a series of prohibited business practices. The term "consumer" is restricted to an individual member of the public and does not refer to any group of persons conducting business, however organized (section 1(b)).

Activities that section 2 of the statute declares to be "unfair business practices," seem to include the following questionable practices, allegedly engaged in by various groups:

- (a) a false, misleading or deceptive consumer representation including, but without limiting the generality of the foregoing, [emphasis added]
 - (i) a representation that the goods or services have sponsorship, approval, performance characteristics, accessories, uses, ingredients, benefits or quantities they do not have...
 - (iv) a representation that the goods or services have been supplied in accordance with a previous representation if they have not,
 - (viii) a representation that the goods or services or any part thereof are available to the consumer when the person making the representation knows or ought to know they will not be supplied,
 - (ix) a representation that a service, part, replacement or repair is needed, if it is not...

- (xii) a representation that the proposed transaction involves or does not involve rights, remedies, or obligation if the representation is false or misleading,
 - (xiii) a representation using exaggeration, innuendo or ambiguity as to a material fact or failing to state a material fact if such use or failure deceives or tends to deceive,
 - (xiv) a representation that misrepresents the purpose or intent of any solicitation of or any communication with a consumer;
- (b) an unconscionable consumer representation [emphasis added] made in respect of a particular transaction and in determining whether or not a consumer representation is unconscionable there may be taken into account that the person making the representation or his employer or principal knows or ought to know,
- (i) that the consumer is not reasonably able to protect his interests because of his physical infirmity, ignorance, illiteracy, inability to understand the language of an agreement or similar factors,
 - (ii) that the price grossly exceeds the price at which similar goods or services are readily available to like consumers,
 - (iii) that the consumer is unable to receive a substantial benefit from the subject-matter of the consumer representation,
 - (iv) that there is no reasonable probability of payment of the obligation in full by the consumer,
 - (v) that the proposed transaction is excessively one-sided in favour of someone other than the consumer,
 - (vi) that the terms or conditions of the proposed transaction are so adverse to the consumer as to be inequitable,
 - (vii) that he is making a misleading statement of his opinion on which the consumer is likely to rely to his detriment,
 - (viii) that he is subjecting the consumer to undue pressure to enter into the transaction;

- (c) such other consumer representations under clause (a) as are prescribed by the regulations made in accordance with section 16.

And some former members of a few movements say another section of the Act was used to keep them from making public grievances. Several complaints, reviewed by the study, showed some movements use secrecy provisions in contracts or other agreements, made with consumers to keep the dissatisfied silent. It is alleged that by employing unfair business practices to induce potential converts to join and commit themselves to such contracts, these groups made certain that members cannot complain publicly without violating their contracts to maintain secrecy. Recognizing this problem to some extent, the statute provides in section 4:

- (1) Subject to subsection 2, any agreement, whether written, oral or implied, entered into by a consumer after a consumer representation that is an unfair practice and that induced the consumer to enter into the agreement,
 - (a) may be rescinded by the consumer and the consumer is entitled to any remedy therefore that is at law available, including damages...

The chief administrator of the Act is the Director under The Ministry of Consumer and Commercial Relations Act. When the Director believes that a person is engaging or has engaged in an unfair practice, he may order that person to comply with the Act. When the Director proposes to make such an order, he must serve notice of his intention with his written reasons to each person to be named in it. The notice must inform recipients that they are entitled to a hearing by the Commercial Registration Appeal Tribunal. It also must advise

the recipient wanting a hearing that a written application must be made to the Director within 15 days of receiving the original notice. If the recipient of a Director's notice does not request a hearing, the Director may proceed with issuing the order.

If a hearing is held, the tribunal may instruct the Director whether to carry out his proposal. And it may instruct the Director to take additional action the tribunal considers appropriate under the Act and its regulations. It also may attach whatever necessary terms and conditions to its order to make effective the purposes of the Act.

Although these requirements involving the notice of proposal and the hearing would prevail in most circumstances, the Director may make an order to take effect immediately when he feels "to do so is necessary for the protection of the public." If the Director does make an order under such circumstances, he must serve each person in the order with a copy of it, written reasons for its issuance, and advice on arranging a hearing. When a person named in an order requires a hearing, the tribunal has the same powers explained earlier. In such cases, the order, issued by the Director, expires 15 days following the filing of an application for a hearing. If the hearing has begun before the order expires, the tribunal has the power to extend the order until the hearing is concluded. The Director, the person against whom the order has been issued, and anyone the tribunal deems to have a direct interest in the proceedings may be a party to the hearing.

Anyone notified of the Director's intention to issue an order requiring compliance with the Act may file a statement of voluntary compliance. In the statement, submitted in a prescribed form, the respondent must not engage in the specific unfair practice or practices alleged against him after the date of the submission. When the Director accepts the written assurance, it has all the force of an order. An assurance of voluntary compliance may include whatever undertakings as are acceptable to the Director. The Director may also receive a bond and collateral as security so that consumers and the Treasurer of Ontario will be reimbursed for lost monies. The Treasurer will also be reimbursed for investigative and other costs.

The Minister of Consumer and Commercial Relations may appoint a person to investigate any matter to which the Act applies. The person appointed reports his findings to the Minister. An investigation appointed in this manner has the powers of a commission under Part II of The Public Inquiries Act.

The Director may appoint one or more persons to investigate when a sworn statement gives the Director reasonable grounds to believe that a person is contravening or is about to contravene any of this Act's provisions or regulations, or has given voluntary compliance under the Act. Such an investigator has wide powers to inquire into the affairs of the person under investigation. Under section 11(2)(4), the investigator may enter business premises to examine books and other documents relevant to the investigation. The investigator may also make inquiries as a commission under Part II of The Public

Inquiries Act, and obtain a search warrant to assist the investigation. The Director has the further power to freeze assets or monies on deposit to the credit of the person or organization being investigated. He can direct anyone in control of such funds not to deal with them and the person under investigation not to withdraw them.

Penalties for contravention of The Business Practices Act are set out in section 17 as follows:

- (1) Every person who, knowingly,
 - (a) furnishes false information in an investigation under this Act;
 - (b) contravenes a regulation;
 - (c) fails to comply with any order or assurance of voluntary compliance made or entered into under this Act; or
 - (d) obstructs a person making an investigation under section 10 or 11,
 is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.
- (2) Every person who engages in an unfair practice other than an unfair practice prescribed by a regulation made under clause c of subsection 1 of section 16, knowing it to be an unfair practice is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.
- (3) Where a corporation is convicted of an offence under subsection 1 or 2, the maximum penalty that may be imposed upon the corporation is \$25,000 and not as provided therein.
- (4) Where a corporation has been convicted of an offence under subsection 1 or 2,

- (a) each director of the corporation; and
- (b) each officer, servant or agent of the corporation who was in whole or in part responsible for the conduct of that part of the business of the corporation that gave rise to the offence,

is a party to the offence unless he satisfies the court that he did not authorize, permit or acquiesce in the offence.

As a footnote to this description of Ontario's legislation against unfair business practices, a federal law in this area, the Combines Investigation Act, should be mentioned. This statute provides at least some consumer protection against false advertising and misleading representations involving the sale of goods or the promotion of a business interest. Section 36 of this Act states:

36. (1) No person shall, for the purpose of promoting, directly or indirectly, the supply or use of a product or for the purpose of promoting, directly or indirectly, any business interest, by any means whatever,

(a) make a representation to the public that is false or misleading in a material respect...

(4) In any prosecution for a violation of this section, the general impression conveyed by a representation as well as the literal meaning thereof shall be taken into account in determining whether or not the representation is false or misleading in a material respect.

The Consumer Protection Act, R.S.O. 1970 c. 82

The statute, first enacted in 1966, is designed to protect the consumer who purchased goods or services under an executory contract. Under this contract, the buyer and seller make an agreement before the seller delivers the

promised goods or services or the buyer has made full payment. It is this kind of contract that many disgruntled complainants said they had with various self-improvement movements.

The Act defines a seller as a person who is in the business of selling goods or services. It further defines an "itinerant seller" as one who solicits, negotiates, or arranges executory contracts at a place other than the quarters of the firm he represents. This reference would seem to govern some forms of on-street recruiting. Itinerants are prohibited from conducting business unless registered by the Registrar of the Consumer Protection Bureau. A registered itinerant seller may only conduct business under his registered name or from an authorized place of business.

Section 47 of the statute provides:

Where the Registrar believes on reasonable and probable grounds that a seller or lender is making false, misleading or deceptive statements in any advertisement, circular, pamphlet or similar material, the Registrar may order the immediate cessation of the use of such material and section 7 applies *mutatis mutandis* to the order in the same manner as to a proposal by the Registrar to refuse registration and the order of the Registrar shall take effect immediately, but the Tribunal may grant a stay until the Registrar's order becomes final.

An executory contract for the sale of services costing more than \$50 must be in writing and contain the following items in order to be binding on the buyer (sections 31(1), (2)):

- (a) the name and address of the seller and the buyer;
- (b) a description of the goods or services sufficient

to identify them with certainty;

- (c) the itemized price of the goods or services and a detailed statement of the terms of payment;
- (d) where credit is extended, a statement of any security for payment under the contract; including the particulars of any negotiable instrument, conditional sale agreement, chattel mortgage or any other security;
- (e) where credit is extended, the statement required to be furnished by section 36 [statement of credit terms]; and
- (f) any warranty or guarantee applying to the goods or services and, where there is no warranty or guarantee, a statement to this effect.

Although the Act contains no definition of "services," it seems that the courses and seminars offered by some new religious and mind development groups would be included under that term. For example, section 1(i) of The Business Practices Act defines services as:

'services' means services,

- (i) provided in respect of goods or
- (ii) provided for social, recreational or self-improvement purposes, or
- (iii) that are in their nature instructional or educational.

The Combines Investigation Act, 1970

The Pyramidic Sales Act, 1972 (repealed, 1978)

The provincial Pyramidic Sales Act, administered by the Ministry of Consumer and Commercial Relations, was designed to control the operation of pyramidic schemes for the sale of goods or services within Ontario. Such activity would otherwise have been prohibited in the province by virtue of

the federal Combines Investigation Act.

From June 16, 1972, to its repeal on December 15, 1978, The Pyramidic Sales Act governed the operation of pyramidic schemes in Ontario. A pyramid scheme was defined in section 1 of the statute as

...a scheme for the distribution of a commodity whereby a person may, for valuable consideration, in any manner acquire a commodity or right or licence to acquire such commodity for sale, lease or otherwise,

- (i) where such person receives a gratuity or consideration, directly or indirectly, as a result of the recruitment, acquisitions, actions or performances of one or more additional participants, or
- (ii) where such person is or may be paid, directly or indirectly, commissions, cross-commissions, bonuses, refunds, discounts, dividends, gratuities or other considerations as a result of a sale, lease or other distribution of such commodity by any additional participant,

and under any circumstances where any part of the benefits referred to in subclause i or ii accrue to any other person participating in the scheme.

Operation of a pyramidic scheme in the province was legal only when a prospectus was filed with the Registrar of Pyramidic Schemes and the Registrar issued a certificate of acceptance of the venture. No mind development groups, sects, or cults were registered under the Act while it was in effect.

With the repeal of the provincial legislation, the federal Combines Investigation Act became the only effective law in this field in Ontario, making it illegal to draw others into pyramidic schemes. Section 36.3 of this statute says:

- (1) For the purposes of this section, 'scheme of pyramid selling' means

- (a) a scheme for the sale or lease of a product whereby one person (the first person) pays a fee to participate in the scheme and receives the right to receive a fee, commission or other benefit
 - (i) in respect of the recruitment into the scheme of other persons either by the first person or any other person, or
 - (ii) in respect of sales or leases made, other than by the first person, to other persons recruited into the scheme by the first person or any other person; and
- (b) a scheme for the sale or lease of a product whereby one person sells or leases a product to another person (the 'second' person), receives the right to receive a rebate, commission or other benefit in respect of sales or leases of the same or another product that are not
 - (i) sales or leases made to the second person,
 - (ii) sales or leases made by the second person, or
 - (iii) sales or leases, made to ultimate consumers or users of the same or other product to which no right of further participation in the scheme, immediate or contingent, is attached.
- (2) No person shall induce or invite another person to participate in a scheme of pyramid selling.
- (3) Any person who violates subsection (2) is guilty of an offence and is liable
 - (a) on conviction or indictment, to a fine in the discretion of the court, or to imprisonment for five years or to both; or
 - (b) on summary conviction, to a fine of twenty-five thousand dollars or to imprisonment for one year or to both.
- (4) This scheme does not apply in respect of a scheme of pyramid selling that is licensed or otherwise permitted by or pursuant to an Act of the legislature of a province.

In the years since The Business Practices Act, Consumer Protection Act, and the now-repealed Pyramidic Sales Act came into force in Ontario, little case law has developed under the three Acts for interpreting their application to consumer issues raised in this study. This has occurred because their exhaustive definitions sections have called for little or no interpretation by the courts and there have been few appeals requiring court adjudication. Moreover, the legislation is comparatively new and has been invoked in relatively few instances.

Consumer Complaints

Although no cases involving cults, sects, mind development groups, new religions or deprogrammers have gone to the courts as a result of charges under Ontario consumer protection laws, the Ministry has received complaints. The first complaint filed with the Ministry about any group within the ambit of the study was in 1974, the year before the Business Practices Division was established. From that time, a total of 12 complaints was filed. Each contained various points of concern and all involved a Toronto-based mind development group, which offered a range of self-improvement courses.

Among the complaints the Ministry received were the following:

Case No. 1: The Ministry received a submission from a group of persons loosely organized to oppose the mind development company. It said:

- . New members of the group were not informed that the group engaged in pyramidal sales.
- . It kept secret that its recruiters received commissions for bringing in new members.
- . Students were encouraged to make anonymous cash donations to a satellite organization, registered as a charitable body and run by the leader of the mind development group. The complainants questioned where the donated money was going and whether taxes were being paid on it.
- . Hypnosis was used during the courses. While subject to hypnosis, students were successfully encouraged to recruit friends for courses.
- . Some students suffered mental disturbances during courses, and there was no staff member present medically qualified to deal with such problems. Some graduates of the courses, it was alleged, have required continuing psychiatric treatment.
- . The leader of the group represented himself as an expert at counselling psychiatric problems yet had no recognized qualifications.
- . There was no screening of persons taking the courses by qualified personnel and no psychiatric aftercare provided to graduates.
- . Graduates of the courses who felt "ripped off" and

wished to speak out critically against the movement were "threatened" by letters from lawyers for the organization.

The complainants also were critical of the group's requirement that a course participant sign an agreement stating that any information about the movement or its courses would not be divulged. The submission argued that the covenant was designed by the group specifically to prevent its critics or dissatisfied consumers from seeking redress and satisfaction of grievances under provincial statutes, such as The Hypnosis Act, The Pyramidic Sales Act, and The Consumer Protection Act. The submission also suggested that the movement's practice of referring to its Director of Education as a "Doctor" constituted a misrepresentation. The submissions specifically recommended to the government that the group be investigated under the provincial Hypnosis Act, and that the government regulate companies offering courses in mind development and spiritual growth.

Case No. 2: A complainant, who had participated in the most advanced course offered by the company, described the course for a Ministry investigator. The complainant outlined the course's confrontation session, which:

...leaves people feeling emotionally crippled. They become obsessed with problems that they are convinced that they have, lose confidence in themselves and seem to feel that the only people who understand and care for them are in the... organization. Many resign from their jobs and drift aimlessly looking for spiritual growth. In my opinion, the incidence of emotional injury is more often the rule than the exception. In some cases the students are as young as 18 and are left with feelings of insecurity and self doubt.

The consumer specifically recommended to the Ministry that the organization's practices be investigated involving its therapeutic and psychological effect. The complainant also suggested that such practices be conducted only by licensed, medically qualified persons, and that this movement and similar organizations be licensed and subject to government regulation.

Case No. 3: A complainant, who had taken advanced courses from this mind development group, told a Ministry investigator that the course included a group confrontation session in which each participant suffered humiliation, degradation, modest physical abuse, water-throwing, and symbolic killing of his parents. The consumer felt that he had been mildly affected because he could not think as coherently as he had prior to taking the course. He believed the confrontation techniques were not just injurious to the mental health of participants but could lead to mental breakdown. Allegedly during the course it was stressed that friendships should be restricted only to members of the organization and ties with family and former friends should be abandoned.

The complainant recommended public education about this and similar organizations, specifically among persons proposing to take the advanced course. He also urged an investigation of the movement.

Case No. 4: The consumer attended the group's intermediate course where the leader reportedly said he was going to perform self-suggestion or positive programming on

the participants. The complainant believed the technique was hypnotic induction. The consumer said participation in the process made him feel lazy, relaxed, and carefree. He said that during later sessions he experienced an inability to recall anything. Students were not brought out of the hypnotic or "meditative" state after the last session, it was claimed. It was further alleged that students were encouraged to bring all their friends and relatives to the course. While in this condition, students also allegedly were encouraged to donate to a registered, non-profit organization administered by the leader of the mind development company. The consumer stated that as a result of hypnosis, he and his brother-in-law each donated chattels of a value exceeding \$1,000 to this non-profit body. They discovered later that one of these donations had become the property of the mind development company. The consumer also said he had willed half his life insurance to the company after taking the course. He added that some students who became mentally disturbed during the course were simply put out and told their problems were their own to manage. The complainant listed his concerns:

- . The contract signed prior to taking the course committed the consumer to secrecy and rendered him subject to a civil law suit if he criticized the movement.
- . Some persons in the company's intermediate course, who became mentally disturbed during the course, were simply ejected from the course and told that their problems were their own concern.

- . The staff was not qualified to deal with emotional or psychological problems students had during the course or to provide aftercare.
- . The money, donated by graduates of the courses to the movement's non-profit affiliate, was not being used for the purposes for which it was given.

Case No. 5: A complainant, who had taken the group's intermediate course, returned to assist on subsequent courses and observed that some students had "lost touch with reality" during the final meditation cycle. The consumer said she saw one student run screaming from the session room and another begin hallucinating during meditation. She said students were not brought out of the final cycle, in which participants were told they were gathering all of their friends together. The complainant said when the course finished, the graduate immediately attempted to recruit his friends and relatives to subsequent courses.

The consumer, an elementary school teacher at the time, said she was motivated to bring some of her students to the group's children's course. She said persons, who had graduated from the organization's courses, were encouraged to assist in all of the group's programs to such an extent that staff members were constantly exhausted. The advanced course, taken by the consumer, involved a confrontation session, including degradation, abusive language, and efforts to make the student hate persons she loved. Following the consumer's confrontation session, she reportedly experienced a nervous

breakdown. She said she suffered fits of screaming, loss of control of her limbs, a feeling of her own death, a skin reaction, and hallucinations. The complainant claimed she was told by staff members at the course that she was seeking attention and faking the problems. Following her mental collapse, the complainant required continuing medical treatment. A male student, who took the advanced course at the same time as this consumer, reportedly experienced a severe mental disturbance and required hospitalization at a psychiatric facility.

The consumer in this instance made no specific recommendations to the Ministry.

Case No. 6: This consumer, who also took courses from the mind development company, believed hypnotism was employed. Once involved in the advanced course, and having signed an agreement, participants were committed to maintaining secrecy about the contents of course materials. The complainant said there was a strongly implied threat that unspecified action would be taken against any student who spoke about course content to outsiders. The course reportedly involved a confrontation in which the participant experienced bizarre accusations, verbal abuse, and pressure to feel hatred for his parents.

The course contained further scaled-down confrontations after the earlier major confrontation session. During the course and following the confrontation session, the complainant said she experienced uncontrollable shaking throughout

her body and a feeling that she had died.

Following the course, the consumer said she sold her home and most of her possessions because she had been convinced in the program that she was a greedy person. She lost her self-confidence and became dependent on an ongoing relationship with other members of the organization.

She said she returned to the course as a staff member and learned how the leaders and staff members of the movement prepared for the advanced course. Staff members reportedly were encouraged surreptitiously to gather personal information about candidates for the course in casual conversation or in "confidential" discussions with them or their friends. The information was then correlated along with personal information provided on the application form to construct a detailed file on each candidate. The complainant said that at a staff meeting prior to the course, the order in which the students would undergo confrontation sessions was decided according to which candidates would break down more easily under the pressure. Those who had had some mental problems prior to the course or who it was predicted would break down sooner, were to be dealt with early in the group session and less severely than later participants.

The consumer said she received a fee from the movement for every recruit she brought to it and for every person her recruits then brought in. There was a strong prohibition against mentioning this scheme to anyone. The complainant said the movement was claiming non-profit,

charitable status for its affiliated organization even before that body had legally obtained it. She added that no record of anonymous cash donations to the non-profit organization was maintained at the mind development company's offices.

Investigation of consumer complaints

It is clear that many aspects of the complaints brought to the Ministry of Consumer and Commercial Relations did not fall within its jurisdiction or areas of competence. For example, complaints involving the alleged use of hypnosis or mental health issues were more appropriately the concern of the Ministry of Health or the Ontario College of Physicians and Surgeons and were redirected accordingly.

However, it is equally clear that many complaints about the mind development group in question fell within the domain of consumer protection authorities, and the Ministry of Consumer and Commercial Relations was urged to investigate such consumer grievances.

During the course of its deliberations on whether there were sufficient grounds to proceed to investigate and to lay charges, the Ministry seems to have decided that the group's recruiting did not amount to a pyramidal scheme under The Pyramidal Sales Act, which then was in force. Although there appeared to be a form of pyramiding, it did not seem that there were the levels of participation necessary for it to qualify as pyramidal under the Act.

Timing may have been a factor in the decision not to press the matter under The Business Practices Act. This

statute came into force on May 1, 1975, some time after many complainants had taken the courses. The Ministry seems to have decided it could not consider complaint information about events that pre-dated the legislation. That is not to say complainants would have had no case if the Act had been in force sooner. Perhaps action could have been taken on the grounds that "the consumer is unable to receive a substantial benefit from the subject matter of the consumer representation." Alternatively, it might have been argued that "the proposed transaction is excessively one-sided in favour of someone other than the consumer." The law could not be applied retroactively to prosecute for conduct constituting unfair business practices under the new legislation.

Additionally, for each consumer the Ministry could produce who would claim they did not receive any benefit but suffered severe nervous disorders because of a course, it was anticipated that the company could produce three who would claim immeasurable benefits.

The Ministry, opposing further government intervention, suggested that there should be more public information on the activities of mind development and similar groups. And the Minister stated that mind development groups generally have many thousands of satisfied, indeed enthusiastic supporters.

PROVINCIAL AND MUNICIPAL POLICE

Police forces in the Province of Ontario are established and assigned their responsibilities under The Police Act, R.S.O.

351, and its amendments. The sections of the legislation that perhaps are most pertinent to the concerns of this study read as follows:

2. (1) Every city and town is responsible for the policing of and maintenance of law and order in the municipality and for providing and maintaining an adequate police force in accordance with the police needs of the municipality...
- (3) Where in special circumstances a municipal police force...is not capable of providing adequate policing for any part of the area for which it is responsible, the Minister may authorize the Ontario Provincial Police Force to police such part for such period and on such terms and conditions as the Minister may prescribe.
3. (1) The Ontario Provincial Police Force is responsible for policing all that part of Ontario that is not in a municipality or part of a municipality referred to in section 2, but the Ontario Provincial Police Force is not responsible for policing any part of Ontario in which a municipal police force is maintained...
- (3) The Ontario Provincial Police Force, in addition to performing the policing services prescribed in subsection 1, shall...
 - (c) maintain a criminal investigation branch which shall be used to assist municipal police forces on the direction of the Minister or at the request of the Crown attorney...
55. The members of police forces appointed under Part II, except assistants and civilian employees, are charged with the duty of preserving the peace, preventing robberies and other crimes and offences, including offences against the by-laws of the municipality, and apprehending offenders, and laying informations before the proper tribunal, and prosecuting and aiding in the prosecuting of offenders and have generally all the powers and privileges and are liable to all the duties and responsibilities that belong to constables.

It is not surprising that police in many parts of the province have long been deeply involved in the investigation of occurrences arising from the activities of cults, sects, mind development groups, new religions, and deprogrammers. In the following pages, criminal laws and municipal by laws governing allegations made against groups, deprogrammers and others in Ontario are examined, and some examples of alleged violation of these laws are outlined. Against this background, a dilemma, faced by many police officers in handling complaints against various movements or anti-cultists, will be described and, perhaps, more readily understood.

CRIMINAL LAW

Fraud

Under the Criminal Code, section 338(1), the offence of fraud is described as follows:

(1) Every one who, by deceit, falsehood or other fraudulent means, whether or not it is a false pretence within the meaning of this Act, defrauds the public or any person, whether ascertained or not, of any property, money or valuable security.

(a) is guilty of an indictable offence and is liable to imprisonment for ten years, where the subject-matter of the fraud is a testamentary instrument or where the value thereof exceeds two hundred dollars; or

(b) is guilty

(i) of an indictable offence and is liable to imprisonment for two years, or

(ii) of an offence punishable on summary conviction,

where the value of the property of which the public or any person is defrauded does not exceed two hundred dollars.

To constitute a criminal fraud, an act must have certain misleading and damaging qualities described as follows in Stephen's History of the Criminal Law of England:

...There is little danger in saying that whenever the words 'fraud' or 'intent to defraud' or 'fraudulently' occur in the definition of a crime two elements at least are essential to the commission of the crime; namely, first, deceit or an intention to deceive or in some cases mere secrecy; and secondly, either actual injury or possible injury or an intent to expose some person either to actual injury or to a risk of possible injury by means of that deceit or secrecy.

In the case of fraud, the injury would be deprivation of money, property or perhaps valuable securities. But, then, what is the meaning of "deprivation?" The Supreme Court of Canada has stated its view of the meaning of deprivation in Regina v. Olan, Hudson and Hartnett (1978), 41 C.C.C. (2d) 145, 5 C.R. (3d) 1, 86 D.L.R. (3d) 212 at pp. 150-151 (C.C.C.) per Dickson, J.:

The element of deprivation is satisfied on proof of detriment, prejudice, or risk of prejudice to the economic interests of the victim. It is not essential that there be actual economic loss as the outcome of the fraud. [emphasis added] The following passages from the English Court of Appeal judgment in Regina v. Allsop (1976), 64 Cr. App. R. 29, in my view correctly state the law on the role of economic loss in fraud, pp. 31-2:

Generally the primary objective of fraudsman is to advantage themselves. The detriment that results to their victims is secondary to that purpose and incidental. It is 'intended' only in the sense that it is a contemplated outcome of the fraud that is perpetrated. If the deceit which is employed imperils the economic interest of the person deceived, this is sufficient to constitute fraud even though in the event no actual loss is suffered and notwithstanding that the deceiver did not desire to bring about an actual loss...

Interests which are imperilled are less valuable

in terms of money than those same interests when they are secure and protected. Where a person intends by deceit to induce a course of conduct in another which puts that other's economic interests in jeopardy he is guilty of fraud even though he does not intend or desire that actual loss should ultimately be suffered by that other in this context.

Curiously, the accused in a fraudulent transaction may lose economically from his offence while the victim gains, yet he still is guilty of fraud. In Regina v. Ben Smith; Regina v. Harry Smith [1963] 1 C.C.C. 68, 1 O.R. 249, 36 D.L.R. (2d) 613, Mr. Justice James Laidlaw McLennan stated for the court that (p. 84 C.C.C.):

Much was made of the fact that Brilund suffered no loss but made a profit of some \$36,000 from what occurred. No doubt the jury were acquainted with this fact but in any event I think the answer to that proposition is to be found in the words of Lord Atkin in Solloway et al v. McLaughlin, [1937] 4 D.L.R. 593 at 597, [1938] A.C. 247 at p. 259:

...fortunately for the commercial community the law has many effective forms of relief against dishonest agents; and no injustice is done if the principle benefits as he occasionally may by the superior astuteness of an unjust steward in carrying out a fraud.

In Rogers v. Arnott [1960] 2 All E.R. 417, it is stated that the fact that the person from whom the goods were stolen suffers no detriment is immaterial.

In my opinion, there is ample evidence of fraudulent intent...

Accordingly, the deprivation element of the fraud can be proved wherever the victim's money, property, or valuable security is taken away regardless of whether he suffers a consequent economic loss or the accused gains economically.

However, proof that the victim was deprived must also be accompanied by evidence of intended dishonesty on the accused's part. The Crown first must show that the victim's deprivation was a result of "deceit, falsehood or other fraudulent means," as stated in the Criminal Code. The meaning of "other fraudulent means" has been analysed by the Supreme Court of Canada in the Olan case supra per Dickson, J. at page 149:

The words other fraudulent means in section 338 (1) include means which are not in the nature of a falsehood or a deceit; they encompass all other means which can properly be stigmatized as dishonest [emphasis added].

The Crown may be able to show the accused's dishonesty by proving "deceit." The most renowned and adopted definition of the element is that of Buckley, J. in Re London and Globe Finance, [1903] 1 Ch. 728 at 732:

...to deceive is, I apprehend, to induce a man to believe a thing is true which is false, and which the person practising the deceit knows or believes it [sic] to be false...to deceive is by falsehood to induce a state of mind.

The element of falsehood may be found in the circumstances of a particular case independent of deceit or other fraudulent means. Proof of a lie or misrepresentation may be sufficient to demonstrate the accused's dishonesty.

Secrecy on the offender's part involving certain facts in a transaction may serve to reflect dishonesty in the conduct of the accused. The dissent of Lord Herbert Edmund-Davies in Tarling v. Government of the Republic of Singapore, briefed at [1970] Crim. L.R. 220 speaks to this issue:

...although concealment may not be conclusive of fraud, it is one of its common indicia particularly where it is sedulously secured and steadily maintained.

Intent in a criminal prosecution for fraud is indicated in the statement of the Supreme Court of Canada in Sault Ste. Marie v. The Queen (1978), 40 C.C.C. (2d) 353, 3 C.R. (3d) 30 per Dickson, J. at p. 362 (C.C.C.):

Where the offence is criminal, the Crown must establish a mental element, namely, that the accused who committed the prohibited act did so intentionally or recklessly with knowledge of the facts constituting the offence, or with wilful blindness toward them. Mere negligence is excluded from the concept of the mental element required for conviction. Within the context of a criminal prosecution a person who fails to make such inquiries as a reasonable and prudent person would make, or who fails to know facts he should have known, is innocent in the eyes of the law.

However, this does not mean that a victim's unusual gullibility will serve an accused as a defence. It has been argued on behalf of the accused in a fraud case in Ontario that a reasonable person would not have been defrauded by the accused's actions although his particular victim may have been. The argument was rejected. In Regina v. Hilliard and Palmeteer (1975), 28 C.C.C. (2d) 566 the County Court for the Judicial District of Peel dealt with a fraud case in which it was proved that the offender knew the victim was elderly and somewhat weak when he applied pressure sales tactics and other techniques. His Honour Judge Stephen Borins held at page 574:

The authorities further indicate that the deception is no less the cause of obtaining the property, though it would not have deceived a reasonably prudent person, so long as it in fact deceives the victim. Thus it follows that an accused cannot escape the consequences of his dishonesty by showing his victim to have been an unusually gullible person.

It is irrelevant that the average person might not have been deprived and the victim may be vulnerable because of his youth, low intellect, and little education. It is also irrelevant that the victim may have been made more susceptible by an act of the offender, such as using involuntary hypnosis.

A Criminal Code offence closely related to -- and sometimes overlapping with -- fraud is a false pretence. As the Code explains it:

319. (1) a false pretence is a representation of a matter of fact either present or past, made by words or otherwise, that is known by the person who makes it to be false and that is made with a fraudulent intent to induce the person to whom it is made to act upon it.
- (2) Exaggerated commendation or depreciation of the quality of anything is not a false pretence unless it is carried to such an extent that it amounts to a fraudulent misrepresentation of fact.
- (3) For the purposes of subsection (2) it is a question of fact whether commendation or depreciation amounts to a fraudulent misrepresentation of fact.

320. (1) Every one commits an offence who

- (a) by a false pretence, whether directly or through the medium of a contract obtained by a false pretence, obtains anything in respect of which the offence of theft may be committed or causes it to be delivered to another person;
- (b) obtains credit by a false pretence or by fraud;
- (c) knowingly makes or causes to be made, directly or indirectly, a false statement in writing with intent that it should be relied upon, with respect to the financial condition or means or ability to pay of himself or any person, firm or corporation that he is interested in or that he acts for, for the purpose of procuring, in any

form whatever, whether for his benefit or the benefit of that person, firm or corporation,

- (i) the delivery of personal property,
- (ii) the payment of money,
- (iii) the making of a loan,
- (iv) the extension of credit,
- (v) the discount of an account receivable, or
- (vi) the making, accepting, discounting or endorsing of a bill of exchange, cheque, draft, or promissory note; or
- (d) knowing that a false statement in writing has been made with respect to the financial condition or means or ability to pay of himself or another person, firm or corporation that he is interested in or that he acts for, procures upon the faith of that statement, whether for his benefit or for the benefit of that person, firm or corporation, anything mentioned in subparagraphs (c) (i) to (vi).

(2) Every one who commits an offence under paragraph (1) (a)

(a) is guilty of an indictable offence and is liable to imprisonment for ten years, where the property obtained is a testamentary instrument or where the value of what is obtained exceeds two hundred dollars; or

(b) is guilty

(i) of an indictable offence and is liable to imprisonment for two years, or

(ii) of an offence punishable on summary conviction,

where the value of what is obtained does not exceed two hundred dollars. 1972, c. 13, s. 29; 1974-75-76, c. 93, s. 31.

(3) Every one who commits an offence under paragraph (1) (b), (c) or (d) is guilty of an indictable offence and is liable to imprisonment for ten years.

(4) Where, in proceedings under paragraph (1) (a), it is shown that anything was obtained by the accused by means of a cheque that, when presented for payment within a reasonable time, was dishonoured on the ground that no funds or insufficient funds were on deposit to the credit of the accused in the bank or other institution on which the cheque was drawn, it shall be presumed to have been obtained by a false pretence, unless the court is satisfied by evidence that when the accused issued the cheque he had reasonable grounds to believe that it would be honoured if presented for payment within a reasonable time after it was issued.

(5) In this section, cheque includes, in addition to its ordinary meaning, a bill of exchange drawn upon any institution that makes it a business practice to honour bills of exchange or any particular kind thereof drawn upon it by depositors.

The factual representation, known to the maker to be false, must be about a fact either current or past but not future. A high degree of persuasiveness, exaggeration or salesmanship does not necessarily constitute a false pretence unless it is carried to such an extent as to amount to a fraudulent misrepresentation of fact. The offender must be shown to have "obtained" something capable of being stolen or some other thing specified in section 320 of the Code. In Regina v. Hemmingway (1955), 112 C.C.C. 321, 22 C.R. 275, the Supreme Court of Canada determined that "obtains" does not mean that the accused has to have received whole or total ownership provided that a property interest -- perhaps possession -- has passed to him.

Examples of Alleged Fraud

Many instances of alleged fraud, brought to the

attention of Ontario police forces and the study, have been described to some extent in earlier sections of this report. The following examples are either additions to those or elaborations of them.

Case No. 1: In 1975 a man became a member of an Ontario group describing itself as a religion after reading some of the group's promotional literature. He thereafter felt that the organization could help his sister. The group stated that it could be "costly" to treat his sister whereupon he gave the group \$4,675. His sister received the offered training and help in Toronto. Later, the group informed him that his sister was beyond the help it could provide. Having spent thousands of dollars, he discontinued his courses. He requested a return of certain monies paid. The group provided him with papers to sign in order to obtain some or all of his money. Although a criminal charge relating to fraudulent misrepresentations might have been laid, he sought a civil remedy for the return of the money he felt was due and remedy was ultimately made.

Case No. 2: In 1979 two persons entered a municipality in the County of Northumberland and approached several banks in the area. They persuaded the financial institutions to permit them to leave a box of decorative candles on the premises for sale to the public. They said the proceeds of sale were totally for local organizations including those assisting crippled children, alcoholics, and halfway houses. Police were contacted by the banks. Subsequent investigation

showed that the local organizations, which were the named beneficiaries, had no one soliciting or canvassing on their behalf. After interviews with members of the public, police learned that a buyer purchasing a candle by cheque was asked not to fill in the name of the payee on the cheque. It was explained that a special stamp would be used to place a name on the face of the cheque. The two persons were arrested and charged with fraud.

Case No. 3: In a major municipality in southern Ontario during June, 1978, the city's police received numerous complaints from members of the public and merchants about a fraud being committed by a number of persons soliciting funds allegedly on behalf of an order of a long-established and well-recognized church. Investigation showed that the church had no affiliation with the group and that those who were arrested were members of the group. The police warned the group members that any future solicitations using the same misrepresentation would be handled as fraud.

Case No. 4: In August, 1975, a woman became involved with a group offering mind development courses at a centre in rural Ontario. This was a short time after the death of two of her sons in a traffic accident. She was to take a \$1,500 course for a three-month period away from her husband and two children. At a point during this course, she persuaded her husband to attend the centre and to become initiated into the program as well. He later told police that he entered some shorter courses in an attempt to get his wife out of the

group. At a later date, members of the movement came to her husband's home and asked whether the group could borrow his construction machinery. He told police that he was unable to read English but was persuaded by his wife and a leader of the group to sign a contract or agreement, written totally in English. Later he was told it was an agreement to loan his equipment to the group. He also told the police he and his children had moved on to the group's property, where he worked for no salary but received free room and board. Some-time later his wife informed him that she had become "spiritually married" to someone else in the group. Her husband left with his children and demanded the return of his equipment. The group refused to return the property, stating that it owned the equipment.

Police investigated an allegation of the group's fraudulent conduct but no criminal charges were laid because there was difficulty in obtaining proof, and the man was taking steps to retrieve his property through civil action. It is noteworthy that the study, which had access to a copy of the agreement signed by the man, was told by the leaders of the group that no such document governing the passage of property to the group had ever existed.

Case No. 5: A former staff member and "reverend" of a movement, which describes itself as a religion, told the study the group charged high fees for a series of courses ostensibly to help obtain the highest levels of spirituality and self-awareness. The "reverend" said many persons, who

wished to take the courses or to continue once they were midstream in the series, could not financially afford them. Many were full-time staff members of the organization and allegedly were paid \$10 to \$50 for a 70-80-hour work week. Members, who wished to continue further, often were encouraged to obtain loans from a financial institution, the former member said. He added that applicants for such loans were counselled by officers in the group's hierarchy to inflate their weekly incomes when talking to potential lenders. The group would be identified as the employer and would corroborate the loan applicant's misrepresented salary when a bank or other financial institution contacted the group for data verification. In some instances, as in this former member's case, a higher ranking official of the group would stand as guarantor for the loan and, in so doing, would inflate his or her own income as well.

In due course, the loan reportedly would be turned over to the movement so that the member could continue to purchase the group's instruction. The former member said that when certain loans fell into arrears and default, the applicant was secure in the knowledge that he or she had no assets or income which a creditor could claim. The group, which also is active in the United States, is being investigated by one state for counselling, conspiring, and acting as a party to such a loan fraud scheme. News reports have said preliminary investigation results show that the scheme may involve millions of dollars and that a sizable number of loans, in amounts between \$700 and \$10,000 have been defaulted.

Case No. 6: A new religious group offers free personality tests to persons passing by its premises at various centres in the Province. Persons, who took the tests at the study's request, were intellectually bright and socially normal. However, their test results and examiner's comments uniformly suggested that they possessed severe personality defects, which could be cured by signing up and paying a fee for a course offered by the group. Pressure reportedly was applied by the examiner during the test to sign up immediately. The examiner found any hesitation or wavering over the payment or value of the course to be a reflection of a personality defect, already revealed by the test results.

The same new religious group which offers a hierarchy of courses for money to its members uses a mechanical device which reportedly aids the teacher in bringing the student to a physical or mental state of no illness or defect. Critics of the group allege that there is no reliable scientific proof that such a teaching method automatically cures such illnesses. And they say there is no factual scientific or medical basis for the claimed cures attributed to the teaching using the mechanical aid.

Other Examples of Misrepresentation

Perhaps the most widely condemned form of fraud allegedly committed by various cults, sects, mind development groups, and new religions involves an abuse of tax concessions to religious, charitable, educational, or non-profit organizations. Charges against the groups in this regard will be dis-

cussed later in the context of tax legislation.

But, many submissions and complaints, received by the study involving what was characterized as "fraud," charged that various groups were falsely claiming religious or charitable status to attract members, fees, donations, and contributions of free labour. The complainants said groups were operating solely to serve egos and to enrich bank accounts of their leaders. When such groups were well-managed, fully commercial enterprises earning a profit for a leader or a foreign parent company, such misrepresentations of non-profit status amounted to fraudulent conduct by depriving members and donors of their property and money.

Assaults and other Offences against the Person

The Criminal Code defines an assault in section 244 as follows:

244. A person commits an assault when

- (a) without the consent of another person or with consent, where it is obtained by fraud, he applies force intentionally to the person of the other, directly or indirectly;
- (b) he attempts or threatens, by an act or gesture, to apply force to the person of the other, if he has or causes the other to believe upon reasonable grounds that he has present ability to effect his purpose; or
- (c) while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person and begs.

Under the Code, mere words cannot constitute an assault. Some act or gesture is required. It need not be a physical touching or application of force to the victim,

but a verbal threat is not sufficient to be an assault. The application of force contemplated by section 244 (a) also must be intentional, not a touching resulting from a reflex or accident.

It is noteworthy that a credible body of case law has emerged supporting a defence of "consent" to an assault charge. Of course, the consent of the "victim" to the assault is not valid when it is obtained by fraud or is not voluntary with the victim not comprehending all the inherent risks. When consent is used as a defence, the victim's scope of the consent becomes a matter of pertinence. If the actions of the accused go beyond the scope of the consent, then an absence of consent exists and an assault has occurred.

The least serious kind of assault is a common assault as defined in section 245 (1) of the Criminal Code. That offence is punishable by a maximum term of six months' imprisonment or a \$500 fine or both. An aggravated form of assault is that prohibited in section 245 (2) of the Code - "everyone who unlawfully caused bodily harm to any person or commits an assault that causes bodily harm." The bodily harm contemplated by the statute is injury to the victim which disrupts his health or comfort. And although the harm suffered need not be permanent, it must be more than merely "transient and trifling in nature." A wounding or breaking of the skin is not necessary to constitute an assault involving bodily harm.

Other criminal undertakings more serious in nature, such as kidnapping or abduction, may include an assault as an

element or part of the entire offence. When a deprogrammer, with or without assistance, physically seizes a person and restricts his or her freedom of movement, an assault has been committed in addition to the more serious criminal offences.

Can there be an assault on the mind? Anti-cultists' allegations frequently draw parallels between attacks on the body and attacks on the mind. Sections of the Criminal Code defining various assaults envisage physical contact and harm, not interference with the human mind. However, in one British case, Regina v. Miller, the judge accepted a broader concept of assault. Miller had been charged with assaulting his wife, causing actual bodily harm. Mr. Justice Lynskey stated:

The point has been taken that there is no evidence of bodily harm. The bodily harm alleged is said to be the result of the prisoner's actions, and that is, if the jury accept the evidence, that he threw the wife down three times, and there is evidence that afterwards she was in an hysterical and nervous condition. It is said by Mr. Fay that that does not amount to actual bodily harm. Actual bodily harm, according to Archbold's *Criminal Pleading, etc.*, 33rd ed., p. 992, includes 'any hurt or injury calculated to interfere with the health or comfort of the prosecutor.' There was a time when shock was not regarded as bodily hurt, but the day has gone by when that could be said. It seems to me now that if a person is caused hurt or injury resulting, not in any physical injury, but in an injury to her state of mind for the time being, that is within the definition of actual bodily harm, and on that point I would leave the case to the jury.

Still, it is questionable whether in Canada intentional infliction or reckless infliction of mental harm by dangerous psychological and other techniques could constitute an assault. There does not appear to be a case that construes the meaning

of assault as widely as it was in the Miller case

Section 211 of the Criminal Code expressly acknowledges a criminal offence being effected through influence on the mind, but only in severely limited circumstances:

KILLING BY INFLUENCE ON THE MIND

211. No Person commits culpable homicide where he causes the death of a human being

(a) by any influence on the mind alone, or

(b) by any disorder or disease resulting from influence on the mind alone,

but this section does not apply where a person causes the death of a child or sick person by wilfully frightening him.

Similar limitations are present when anti-cultists attempt to press their claims. Anti-cultists say the damage, allegedly inflicted by some groups on the minds of some of their members, was the result of criminal negligence, another kind of offence against the person.

Pertinent sections of the Code provide that:

202. (1) Every one is criminally negligent who

(a) in doing anything, or

(b) in omitting to do anything that it is his duty to do, shows wanton or reckless disregard for the lives or safety of other persons.

(2) For the purposes of this section, 'duty' means a duty imposed by law [emphasis added]...

204. Every one who by criminal negligence causes bodily harm to another person is guilty of an indictable offence and is liable to imprisonment for ten years.

Again, the dilemma involves the offence of "bodily harm," which has uniformly been interpreted to mean physical not mental harm. Accordingly, an instructor, untrained in medicine or related science who applies hypnosis or psychological therapy to paying students, cannot be held criminally negligent if his actions inflict mental harm unless accompanied by physical harm. The offence, however, does not require deliberate or intentional infliction of bodily harm.

Examples of Alleged Offences Against the Person

Case No. 1: The summary of the case of Regina v. Cadman, described in the following section on kidnapping, involves elements of an assault against the person committed during an attempt by parents to retrieve their son from a new religious group.

Case No. 2: On Sunday, January 11, 1976, at about 5:30 p.m., the police were called to an address in Windsor, Ontario. On arrival, they found a crowd watching an argument about a refund demanded by a 17-year-old youth. The teen-ager had signed up and paid a fee for a course, offered by a group describing itself as a religious movement. After signing for the course, the youth had changed his mind and returned with his brother-in-law to the group's building to seek a refund of the money. The group remained firm in its policy of not granting a refund and further requested that the youth return a book borrowed from the group's library. The brother-in-law said that if the youth got the refund, the book would be returned. At this point, a member of the group stopped

the brother-in-law from leaving and pushed him several times. No injuries were sustained. Police advised the brother-in-law to leave the book to avoid a charge of theft. The brother-in-law was further advised that he could appear before a justice of the peace and swear an information charging the group member with assault.

Case No. 3: Two persons, both about 20 years old, became concerned when a friend joined a group, which proclaimed itself to be religious. Feeling that their friend might have been brainwashed, the two persons went to the group's home. Their friend, the new group member, stood in the rear doorway and spoke to the visitors, who implored him to come outside. When he did so, they rushed him in an attempt to take him into their custody. However, the group member escaped their grasp, rushed back inside the home, and shut the door. He was advised by the police that he could contact them formally or go to a justice of the peace with respect to laying a criminal charge against the two friends.

ABDUCTION, KIDNAPPING, UNLAWFUL CONFINEMENT, FORCIBLE SEIZURE

Abduction

The Criminal Code devotes three sections to the prohibition of different forms of abduction. Two sections are of relevance to the issues under study:

ABDUCTION OF FEMALE UNDER SIXTEEN - Matters not material.

249. (1) Every one who, without lawful authority, takes or causes to be taken an unmarried female person under the age of sixteen years out of the possession of and against

the will of her parent or guardian or of any other person who has lawful care or charge of her is guilty of an indictable offence and is liable to imprisonment for five years.

- (2) For the purpose of proceedings under this section it is not material whether
 - (a) the female person is taken with her own consent or at her own suggestion, or
 - (b) the accused believes that the female person is sixteen years of age or more.

ABDUCTION OF CHILD UNDER FOURTEEN - Bona fide claim of right.

250. (1) Every one who, with intent to deprive a parent or guardian or any other person who has lawful care or charge of a child under the age of fourteen years of the possession of that child, or with intent to steal anything on or about the person of such a child, unlawfully

- (a) takes or entices away or detains the child, or

- (b) receives or harbours the child,

is guilty of an indictable offence and is liable to imprisonment for ten years.

- (2) This section does not apply to a person who, claiming in good faith a right to possession of a child, obtains possession of the child.

In the offence described in section 249, enticement of the female away from her parents would constitute abduction. Parental consent, when obtained by a fraudulent representation, is not free consent and would not stand as a valid defence. When a female child under the age of 16 is proven to be taken against the will of the parent, a conviction will not be denied even though the child may have participated actively in the abduction.

Abduction of a male or female child under the age of 14 years is prohibited by section 250 of the Code when the victim is taken with an intent to deprive a parent or other person *in loco parentis*. Enticing away, detaining, receiving, or harbouring a child with such an intent amounts to the offence of abduction. The intent to deprive the parent need not be the sole intention of the accused.

Subsection 250(2) provides a special statutory defence of the claim in good faith that the accused had a right to possession of the child. This argument frequently emerges when estranged or otherwise separated parents each claim a right to custody of a child, and one takes possession by abduction. When a parent forcibly takes a child under 14 years of age out of a group, subsection 250(2) may well constitute a complete defence to what would otherwise be criminal conduct.

Forcible Confinement and Imprisonment; Forcible Seizure

Section 247(2) of the Criminal Code sets out both offences:

- (2) Every one who without lawful authority, confines, imprisons or forcibly seizes another person is guilty of an indictable offence and is liable to imprisonment for five years.

The act must be committed without lawful authority in order to be characterized as illegal. When a male aged 14 or over, or a female 16 years of age or over, is seized without lawful authority, the act is an offence regardless of whether a parent approves it. Accordingly, if a couple's 18-year-old son is living voluntarily at the residence of a group, it cannot

be alleged *by the parent* that he is unlawfully confined. Of course, the son's consent to remain with the group can be challenged by a third person on the grounds that the son is not of sound mind and has been deprived of his free will by group leaders. In such circumstances, the parent may report such claims to police for investigation. Or, on reasonable grounds, the parents may swear an information before a justice of the peace alleging that a criminal offence has been committed by members of the group. Short of laying a criminal charge, parents could resort to the provisions of The Mental Health Act.

As implied in the foregoing comments, forcible confinement is most commonly alleged against parents or deprogrammers, who reportedly attempt to separate a member from his movement. On several occasions, former members, who spoke with the study, said they felt they had been psychologically coerced into remaining with their movements. That is, they were confined by psychological force. Alleged forms of force included extreme peer pressures, fear for their souls and fear of harassment. Several former members of a Toronto mind development movement said that during the group's advanced courses, which normally were held at lodges or motels, the group created several psychological barriers, which kept them from leaving. For all the potency that such restraints might have, it is unlikely that Canadian courts would countenance a charge of forcible confinement based on psychological coercion.

Kidnapping

Section 247 of the Criminal Code creates the offence of "kidnapping," without defining the term:

247. (1) Every one who kidnaps a person with intent

- (a) to cause him to be confined or imprisoned against his will,
- (b) to cause him to be unlawfully sent or transported out of Canada against his will, or
- (c) to hold him for ransom or to service against his will, is guilty of an indictable offence and is liable to imprisonment for life.

Among anti-cultists, the term "psychological kidnapping" is commonly used to describe practices, employed by movements in recruiting, converting, and maintaining members. The implication is that groups numb their recruits' capacity for the exercise of independent thought and free will. This makes it impossible for members to resist conversion and to leave. The intent is to make groups' practices in this regard appear to constitute an offence under law. However, Canadian courts have not accepted psychological kidnapping as falling within the purview of the criminal law. An offence exists under the Criminal Code only when a person is physically confined against his will.

Under the law, the kinds of actions frequently associated with deprogramming, such as forcible seizure and confinement of an adult member of a movement, always constitute kidnapping. False statements or lies that induce a person to submit to confinement also amount to kidnapping.

It is perhaps noteworthy that in at least one jurisdiction, Italy, the concept of psychological kidnapping has been given statutory recognition as a crime. The report of the Braibanti case by Albert I. Borowitz, writing in volume 57 of the American Bar Association Journal (October, 1971) deals with a conviction for *plagio* in 1968. The offence of *plagio*, a crime in the Italian Penal Code, considers criminal conduct when through psychological means a person is reduced to a total state of subjection. Borowitz summarizes in part the judgment of the court:

The court, stressing the fundamental inalienable quality of human freedom in the social contract and in the constitutional setting of a republic, drew two additional threshold conclusions about the crime:

- (1) the victim of a crime that offends individual personality can be any person, regardless of his particular social, personal, material or psychological condition; and
- (2) the consent of the offended person does not justify the crime or exempt the defendant from punishment.

Not only does the consent of the victim not distinguish legal conduct from *plagio*, but according to the court, the offence may be committed despite the absence of a specific intent to place the victim under one's power 'for the purpose' of reducing him to a total state of subjection. General intent was held sufficient. That is, the prosecution need show only that the defendant consciously and willfully exercised over the victim dominion of such a nature as to reduce him to total subjection.

Although the court's consideration of the jurisprudential setting of *plagio* established as a starting point the view that the statutory section was directly concerned with the integrity of the personality, it still faced its principal task of defining the 'total state of subjection' of the personality which was the key element in consummation of the offense. It is at this point that the impression grows that the court, for all its good intentions and scholarship, (the opinion runs to 180 pages) begins to lose its moorings.

It announced that the statutory prohibition is justified by modern principles of dynamic psychology, which stress the key role of freedom of study, criticism and self-determination in integrating external influences into the developing personality. In the court's view, the ban against *plagio* was quite appropriately directed against suppression and distortion of the powers of judgment that are central in the development and maintenance of personality.

In considering how the purposive and critical faculties may be injured by external interference, the court ranged widely over the history of psychology and psychiatry. In addition to references to dynamic psychology, it traced the development of doctrines of suggestion from Charcot and the Nancy School. It referred also to studies relating to homosexuality, to psychological factors, and particularly to the findings of Ferenczi that homosexual tendencies may induce psychological states similar to obsessive or compulsive neuroses and may increase the suggestibility of the subject.

We can gather from the court's analysis of the scientific setting of *plagio* that the crime consists of the taking of action of such a nature as to impair the workings of the self-determining elements of personality and that this action may be taken through the agency of 'suggestion.' This is far from a satisfactory definition of criminal conduct, and a thorough search of the byways of the opinion does not add much clarity to the contour of the statutory prohibition.

Examples of Alleged Kidnapping, Confinement, Abduction

For the most part, instances of alleged kidnapping involving movements in Ontario have included attempts by parents, friends, or hired deprogrammers to retrieve individuals from various groups.

Case No. 1: On September 6, 1975, the parents of an 18-year-old woman reported to the Windsor, Ontario, police that they had reason to believe that their daughter was being held against her will by a group, describing itself as a religious movement. The parents had been alerted by two friends, who had visited their daughter at the movement's premises and had

found her pale, uncharacteristically unclean and seemingly drugged. The friends gave police signed statements of their observations. Upon going to the building of the group, the parents were told that their daughter had gone to another of its communes in Hamilton, Ontario.

Their daughter had left home at the beginning of September, 1975, following an argument with her parents about a boyfriend. She had then become involved with the group. Her parents informed the police that initially they had not been unduly alarmed because they believed that their daughter, an adult, was free to make her own choice about how she would live. The parents believed the group was religious. From prior experience, police discovered that it was common practice for the group to move persons from city to city when trouble with parents appeared imminent.

That night Windsor police received two calls from an official with the group, who reported a threatened break-in by the woman's parents. At the group's home, police were informed that the father and a second man had come to the house. On being told that his daughter had gone to Hamilton, the father had said they would return and take her.

The next day police again went to the movement's building and met the group official claiming to be the "shepherd" for the members of the group. Police informed him that an investigation of the woman's possible abduction was under way. The group official said the woman had gone to Hamilton on the previous evening. (Subsequent investigation

revealed that the woman went to Hamilton that day.) The group official denied that any drugs were used by the group. When confronted with allegations, made by friends of the daughter about her appearance and behaviour, the group leader replied that the daughter had found God and was tired because she had not been resting well. The group leader told police that he was unaware of the address of the Hamilton commune since it had moved recently.

While police visited the Windsor commune on September 7, the woman's parents, accompanied by others, went to Hamilton and found the communal home of the group. The daughter, described to be in a trance-like state, was taken from the Hamilton commune and returned to her home in Windsor. Several hours later the daughter reportedly returned to a normal state. Some of the daughter's clothing, a stereo and about \$850 were missing.

Two days later, on September 9, Windsor police received a call to the group's building. The group leader complained to police that the woman had been abducted from the group's commune in Hamilton. The police went to the parents' home and were told that the daughter was not there but was attending a prayer meeting. The father complained of harassment by the group and alleged that it was unlawfully in possession of property belonging to his daughter. That day, the group leader filed a further complaint with the police, alleging that the woman had been abducted.

When police interviewed the woman, she said she had

argued with her parents in early September and had left home. In a city park, she had been handed a pamphlet and had gone to a discussion meeting at the group's home. She was persuaded to leave home permanently and to enter the commune with her possessions on September 2. Inquiries revealed that the woman was a bright college student and an emotionally stable person. But investigating officers concluded that she was slightly naive, strongly motivated to "change the world" and help the underprivileged.

The woman denied having taken drugs at the group's home and was unaware of being given any drugs. There was a suggestion by the group leader that she marry one of the group members. The woman recalled going to her bank with several members of the group and withdrawing more than \$800, some of which was for tuition payments. The daughter was unable to remember any reason for having given the money to the group. She further recollected having been asked to sign a contract but could not remember what the document said or why indeed she had signed it.

Her father was able to retrieve the stereo and the woman's clothing, but the group refused to return any money "donated" by her. On the urging of the police the woman went to a psychiatrist for examination. The doctor said the woman's compliance with group wishes and her confusion and memory loss were the result of the involuntary consumption of a drug, probably LSD or mescaline.

The woman recovered from the experience and the state

which she had been in. No criminal charges were laid by any party. Recovery of the money lost by the woman was left to whatever redress she might seek in the civil courts.

Case No. 2: Deprogrammings have rarely resulted in court actions in Ontario, but at least one has -- the case of Regina v. Lois Cadman. And while the charge, which arose out of the events of this case, was not one of abduction or forcible confinement, the facts make it appropriate for discussion.

On June 14, 1976, the Respondent appeared before His Honour Judge E.O. Fanjoy and a jury in the Brant County Court and pleaded not guilty to an indictment containing the following counts:

- (i) The Jurors for Her Majesty the Queen present that LOIS MILDRED CADMAN, on or about the 30th day of October, A.D., in the year 1975, at the Township of Burford, in the County of Brant, unlawfully did assault Luzuiminda Garcia and did thereby occasion her bodily harm, contrary to section 245 (2) of the Criminal Code of Canada.
- (ii) the said Jurors further present that LOIS MILDRED CADMAN, on or about the 30th day of October, A.D., in the year 1975, at the Township of Burford, in the County of Brant, unlawfully did assault Larry Gannage, and did thereby occasion him bodily harm, contrary to section 245 (2) of the Criminal Code of Canada.
- (iii) And the said Jurors further present that LOIS MILDRED CADMAN, on or about the 30th day of October, A.D., in the year 1975, at the Township of Burford, in the County of Brant, did administer a noxious thing, to wit, a spray irritant to Luzuiminda Garcia with intent thereby to aggrieve or annoy that person contrary to section 229(b) of the Criminal Code of Canada.

- (iv) And that on or about the 30th day of October, A.D., in the year 1975, at the Township of Burford, in the County of Brant, LOIS MILDRED CADMAN did administer a noxious thing, to wit, a spray irritant to Larry Gannage with the intent thereby to aggrieve or annoy that person, contrary to section 229(b) of the Criminal Code of Canada.

On June 16, the jury found Mrs. Cadman not guilty on all counts and Judge Fanjoy discharged her.

The case began on Tuesday, October 28, 1975, when Lois Cadman obtained a can of spray, which she believed was used by postmen to ward off dogs.

On the evening of October 30, 1975, Luzuiminda Garcia, head trainer of the North American sector of Ananda Marga, and Larry Gannage, a 22-year-old teacher of meditation and yoga, travelled to Burford, Ontario, from London, Ontario, in a van driven by Steven Cadman, Mrs. Cadman's 23-year-old son.

Miss Garcia and Mr. Gannage had been invited by Steven Cadman to accompany him on a visit to his parent's house in Burford Township. Mr. Gannage had previously stayed overnight with Steven at the Cadman home in July, 1975.

Steven Cadman, Mr. Gannage, and Miss Garcia arrived at the Cadman residence between 6 p.m. and 6:30 p.m. They brought some groceries with them since they intended to cook dinner at the Cadman home. When Mr. Gannage, Steven Cadman, and Miss Garcia arrived, Steven's father came out of the house, shook Mr. Gannage's hand, and welcomed them. He then helped Mr. Gannage and Steven carry the groceries.

Mr. Cadman led his son into the house with Mr. Gannage and Miss Garcia following. As Mr. Gannage and Miss Garcia stepped inside the door of an enclosed back porch, they were approached by Mrs. Cadman. When she was within a couple of feet of Mr. Gannage, she began to spray him with the contents of a can. Mrs. Cadman then moved to within a foot of Miss Garcia and commenced to spray her. Before spraying Mr. Gannage and Miss Garcia, Mrs. Cadman did not speak to either of them. In order to spray Miss Garcia in the face, Mrs. Cadman lifted a veil Miss Garcia was wearing over her face. When Mrs. Cadman stopped spraying Miss Garcia, the latter's clothing was soaked.

Immediately after he was sprayed, Mr. Gannage felt a burning sensation in the area of his eyes and pain in his face in general. The burning sensation lasted approximately 15 minutes. Immediately after she was sprayed, Miss Garcia's eyes began to water, she began to choke and she felt a stinging sensation on her face.

While Mrs. Cadman was spraying Mr. Gannage and Miss Garcia, approximately 10 persons, including Mr. Cadman, were tying up Steven.

Mr. Gannage and Miss Garcia left the enclosed porch of the Cadman house and went into the backyard. Miss Garcia began to gag and gasp for air. Fifteen minutes after Mrs. Cadman had sprayed Mr. Gannage and Miss Garcia, her husband came out of the house and gave Mr. Gannage \$30 for their taxi cab fare to London.

Forty-five minutes after Mrs. Cadman sprayed Miss Garcia and Mr. Gannage, a taxi cab, driven by Daniel James Bowles, arrived at the Cadman residence, and Miss Garcia and Mr. Gannage were driven to the Brantford General Hospital. While she was in the taxi cab, Miss Garcia, who was lying down on the back seat, was shivering and gagging because she was unable to catch her breath. The driver of the taxi cab had to roll down the windows of the taxi because his eyes were watering and burning. As well, he could smell an irritating odour in the cab.

Dr. Jack Edward Shaver, on duty that night in the emergency department of the Brantford General Hospital, treated Miss Garcia, who complained of shortness of breath and soreness to the eyes, nose, and throat. While examining Miss Garcia, Dr. Shaver noticed an intense irritating odour. Miss Garcia was admitted overnight to the intensive care ward of the hospital and placed on intravenous. The next day she was released from hospital.

Mrs. Cadman had known that her son was coming to her home along with Miss Garcia. Mrs. Cadman was deeply upset about her son's association with this woman and believed it was affecting his upbringing and education as well as destroying his future.

At her trial, Mrs. Cadman's counsel relied upon the statutory defence set out in section 41 of the Criminal Code:

Everyone who is in peaceable possession of a dwelling house or real property, and everyone lawfully assisting him or acting under his authority, is justified in using force to prevent any person from trespassing on the dwelling house or real property or to remove a trespasser therefrom if he uses no more force than is necessary.

Accordingly, the judge, in charging the jury on the law before they considered a verdict, instructed the jurors that one defence available to Mrs Cadman in removing Mr. Gannage and Miss Garcia from her home was they were trespassers. The judge further instructed the jury:

But [counsel for the accused] argues that Mrs. Cadman used no more force than Mrs. Cadman believed on reasonable grounds to be necessary. Now, of course, a trespasser is one who is on property without lawful authority, and considering this argument by the defence, I point out some of the evidence. Mrs. Cadman knew that Miss Garcia was coming; Mr. Cadman was helping Miss Garcia and Mr. Gannage in with the groceries; and none of the Cadmans asked Miss Garcia or Mr. Gannage to leave before starting to spray them.

When the jury acquitted Mrs. Cadman of all counts, the Attorney General of Ontario appealed the acquittal. The Ontario Court of Appeal allowed the appeal by the Crown on December 17, 1976, and ordered a new trial. The highest court in the province ruled that the trial judge had erred in law when he instructed the jury that a defence under section 41 of the Criminal Code was available to Mrs. Cadman since there was no evidence on the record for such a defence to be considered by the jury.

However, because of the disappearance of the complainants, a new trial could not be held. Following the attack on Mr. Gannage and Miss Garcia, Steven Cadman was "deprogrammed" from

his association with the group.

Case No. 3: A 21-year-old woman was living away from home in a small town in south-central Ontario. She had joined a group, which described itself as a religious community. Her family, upset over this association, arranged to have her tricked into coming to her sister-in-law's home for a social occasion. Upon arrival at her sister-in-law's home, the woman was forcibly seized, placed in a car, and taken to the home of a deprogrammer in a nearby Ontario city. On October 23, 1974, she was then taken to another city. Two days later, she was taken to Detroit, Michigan, placed in an airplane, and arrived in San Diego, California. There she was held at the home of a U.S. deprogrammer. The woman returned to Canada on November 6, 1974, but feared that she would be abducted again.

MISCELLANEOUS CRIMINAL OFFENCES

Break and Enter

The offence of break and enter is defined in section 306 of the Criminal Code as follows:

- (1) Every one who
 - (a) breaks and enters a place with intent to commit an indictable offence therein,
 - (b) breaks and enters a place and commits an indictable offence therein, or
 - (c) breaks out of a place after
 - (i) committing an indictable offence therein, or
 - (ii) entering the place with intent to commit an indictable offence therein,

is guilty of an indictable offence and is liable

- (d) to imprisonment for life, if the offence is committed in relation to a dwelling-house, or
- (e) to imprisonment for fourteen years, if the offence is committed in relation to a place other than a dwelling-house.

(2) For the purposes of proceedings under this section, evidence that an accused

- (a) broke and entered a place is, in the absence of any evidence to the contrary, proof that he broke and entered with intent to commit an indictable offence therein; or
- (b) broke out of a place is, in the absence of any evidence to the contrary, proof that he broke out after
 - (i) committing an indictable offence therein, or
 - (ii) entering with intent to commit an indictable offence therein.

The subject of such an offence may appear to be curiously out of place when discussing cults, sects, mind development groups, or new religions in Ontario. However, persons interviewed by the study and law enforcement authorities in some other jurisdictions have found at least one of the new religious groups with an aggressive and paranoid structure. This paranoia and aggressiveness have driven group members to resort at times to illegal entries of offices to commit thefts or copy documents. It also has allegedly planted one or more of its members in government offices as employees to gain the required information. In 1974, the Ontario Ministry of Health "lost" all of its files and documentation about this group and, in 1977 all files on the subject were stolen from the Ontario Ministry of Consumer and Commercial Relations. Furthermore, two of Toronto's major

daily newspapers no longer have any library files relating to the group's activities.

Example of Alleged Break and Enter

On April 17, 1974, at about 11 p.m. two men, members of this group, entered an office tower in downtown Toronto. This building had been closed to the public at about 5:45 p.m. After that, anyone entering lawfully required a pass. Shortly after 11 p.m., the security staff of the building apprehended the two men in a locked elevator room on the 17th floor. Access to this room normally could be gained only by a key. Upon the arrival of the police the two men were searched. Two tension bars, a lock pick, three flashlights, and two briefcases were found in their possession. Subsequent investigation revealed that the accused had stayed in the building after closing for the purpose of gaining access to the offices of a large, downtown law firm to examine documents. At the time, the law firm was representing a person, who was in litigation with the movement. The pair were charged with the unlawful possession of instruments for the purposes of house-breaking, vault-breaking or safe-breaking, contrary to section 309 of the Criminal Code.

Extortion

According to the Criminal Code:

Every one who, without reasonable justification or excuse and with intent to extort or gain anything, by threats, accusations, menaces or violence induces or attempts to induce any person, whether or not he is the person threatened, accused or menaced or to whom violence is shown, to do anything or cause anything to be done, is guilty of an indictable offence and is liable to imprisonment for fourteen years.

Case Examples

Evidence was presented to the study that at least two of the groups, a mind development group and a new religion, maintained a strict practice of silence and confidentiality about group activities by former and current members. The practice was clearly designed to muzzle public complaint or allegation of wrong doing concerning the group and to perpetuate the activities and mystique of the group at all costs. In the case of the mind development company, there was an implicit threat of violence by the group's leader against any person who did not maintain silence. The new religious group, which offers courses to followers for set fees, sometimes makes tape recordings of conversations. As well, written summaries of the most intimate details of the student's life are conveyed to the staff teacher. Threat of exposure of highly sensitive material, which may be embarrassing, morally or legally -- to one's employer, relatives, spouse, friends, or to the media -- has been sufficient to silence members. Both groups regularly enforce their secrecy code by threatening civil action against disgruntled ex-members, who wished to expose the group. Section 305(2) of the Code does not proscribe the threat of civil action as constituting criminal extortion. That section provides:

A threat to institute civil proceedings is not a threat for the purposes of this section.

It is worth questioning whether the threat of civil action, designed to prevent a person from complaining of illegal activity to the police or of unfair business practices to the Ministry of Consumer and Commercial Relations, is not only an

in terrorem, but criminal extortion when the group threatening the law suit has no enforceable cause of action.

Obscenity

In section 159 of the Criminal Code, a number of offences are defined dealing with obscene material. That section of the Code reads in part:

159. (1) Every one commits an offence who

- (a) makes, prints, publishes, distributes, circulates, or has in his possession for the purpose of publication, distribution or circulation any obscene written matter, picture, model, phonograph record or other thing whatsoever...
- (2) Every one commits an offence who knowingly, without lawful justification or excuse,
 - (a) sells, exposes to public view or has in his possession for such a purpose any obscene written matter, picture, model, phonograph record or other thing whatsoever,
 - (b) publicly exhibits a disgusting object of an indecent show...
- (3) No person shall be convicted of an offence under this section if he establishes that the public good was served by the acts that are alleged to constitute the offence and that the acts alleged did not extend beyond what served the public good.
- (4) For the purposes of this section it is a question of law whether an act served the public good and whether there is evidence that the act alleged went beyond what served the public good, but it is a question of fact whether the acts did or did not extend beyond what served the public good.
- (5) For the purposes of this section the motives of an accused are irrelevant.

- (6) Where an accused is charged with an offence under subsection (1) the fact that the accused was ignorant of the nature or presence of the matter, picture, model, phonograph record, crime comic or other thing by means of or in relation to which the offence was committed is not a defence to the charge...
- (8) For the purposes of this Act, any publication a dominant characteristic of which is the undue exploitation of sex, or of sex and any other one or more of the following subjects, namely, crime, horror, cruelty and violence, shall be deemed to be obscene.

Example of Obscenity Complaint

Police in the city of Kingston, Ontario, received complaints during the summers of 1977 and 1978 about members of a group describing itself as a religious organization. The group allegedly had solicited funds on street corners and in shopping plazas and had distributed obscene literature relating to their group. Police advised group members to leave the city. Much of the literature, examined by the study, contained clearly obscene illustrations and text and counselled acts of prostitution by female members of the group to the ultimate benefit of the group as a whole.

Harassing Telephone Calls

Section 330(3) of the Criminal Code prohibits the making of repeated telephone calls to a person with the intent to harass. The subsection reads:

Every one who, without lawful excuse and with intent to harass any person, makes or causes to be made repeated telephone calls to such person is guilty of an offence punishable on summary conviction.

Example of Alleged Telephone Harassment

In February, 1978, an 18-year-old man living at home with his parents in Toronto went with his girlfriend to the premises of a new religious group in the city of Toronto and inquired about a course offered. He signed up to take a basic course for \$10. He subsequently learned that the course was not religious but scientific and decided not to take it. From then on, he reportedly received numerous letters and telephone calls from various members of the group inquiring why he did not want to take the course. The calls and letters mounted until they constituted what to the young man was a harassment.

On March 6, 1979, his mother wrote the religious group a letter asking them to cease their letters and telephone calls. But the telephone calls still continued for a time.

Public Disturbance

The offence of unlawfully creating a public disturbance is defined in section 171 of the Criminal Code. That section says in part:

- (1) Every one who
 - (a) Not being in a dwelling-house causes a disturbance in or near a public place
 - (i) by fighting, screaming, shouting, swearing, singing or using insulting or obscene language,
 - (ii) by impeding or molesting other persons...
 - (c) loiters in a public place and in any way obstructs persons who are there...is guilty of an offence punishable on summary conviction.

Example of Public Disturbance Complaint

Members of the public, especially merchants, have complained to police in various centres, notably Ottawa and Toronto, that followers of an Eastern religious movement who were chanting, beating drums, and dancing, blocked sidewalks and store entrances. Usually police asked the members to continue moving when their actions cause such obstruction. The singing, drum beating, or dancing do not ordinarily constitute disturbance.

Obstruction, Impeding Pedestrians

When a person causes a disturbance in or near a public place by "impeding or molesting other persons," he is guilty of a criminal offence under section 171(1)(a)(iii) of the Criminal Code. A closely allied criminal offence is that of loitering, which is prohibited by section 171(1)(c) of the Code:

(1) Every one who

(c) loiters in a public place and in any way obstructs persons who are there...

is guilty of an offence punishable on summary conviction.

Example of Impeding Complaint

On February 23, 1978, two girls, aged eight and nine, were on their way home from school in a southern Ontario community when an automobile stopped at the side of the road ahead of them. After leaving the car, the woman walked back and allegedly blocked the girls from proceeding past her. There was no physical contact. The woman, a member of a

new religious group, handed each girl literature about the movement. The girls were required to recite a prayer from the leaflet before the woman stepped aside.

A similar occurrence involving other members of the same group was reported some time later in Toronto. However, for the most part, complaints about impeding by members of various groups arise out of their allegedly blocking sidewalks while proselytizing or soliciting funds.

Trespass

The act of trespassing, while not formally criminal conduct, is nevertheless illegal under the provincial Petty Trespass Act, R.S.O. 1970, c. 347, which says:

1. (1) Every person who unlawfully enters or in any other way trespasses upon another person's land,
 - (a) that is enclosed;
 - (b) that is a garden or lawn; or
 - (c) with respect to which he has had notice by word of mouth, or in writing, or by posters or sign boards so placed as to be visible from every point of access to the land, not to trespass,

and whether or not any damage has been occasioned thereby, is guilty of an offence and on summary conviction is liable to a fine of not less than \$10 and not more than \$100. R.S.O. 1960, c. 294, s. 1(1); 1960-61, c. 74, s. 1.

- (2) Where an offence under subsection 1 is committed by means of a motor vehicle, the driver of the motor vehicle, not being the owner, is liable to the fine provided under subsection 1 and the owner of the motor vehicle is also liable to the fine provided under subsection 1 unless at the time the offence was committed the motor vehicle was in the possession of a person other than the owner or his chauffeur

without the owner's consent. R.S.O. 1960, c. 294, s.1(2).

2. Every person found committing such a trespass may be apprehended without warrant by any peace officer, or by the owner of the land on which it is committed, or the servant of, or any person authorized by such owner, and be forthwith taken before the nearest justice of the peace to be dealt with according to law. R.S.O. 1960, c. 294, s. 2.
3. Nothing in this Act authorizes any justice of the peace to hear and determine a case of trespass in which the title to land, or to any interest therein, is called in question or affected, but every such case shall be dealt with according to law in the same manner as if this Act had not been passed. R.S.O. 1960, c. 294, s. 3.
4. Nothing in sections 1 and 2 extends to a case where the person trespassing acted under a fair and reasonable supposition that he had a right to do the act complained of, or to a case within Section 373 of the Criminal Code (Canada). R.S.O. 1960, c. 294 s. 4.
5. The council of a township may pass by-laws for declaring that in the case of land, the boundary line or any part of the boundary line of which passes through a marsh or swamp or any land covered with water, the land, so far as respects that part of the boundary line that so passes, shall be deemed to be wholly enclosed within the meaning of this Act if posts are maintained along such part at intervals that permit of each post being clearly visible from the next post. R.S.O. 1960, c. 294, s. 5.

Examples of Trespassing Complaints

On January 24, 1978, two young men, who were members of a new religious group in Ottawa, were observed on the grounds of a public school handing out pamphlets about their movement to children. (The school board, owners of the property, would be considered a "person" under the law and the schoolyard would

constitute enclosed land.) The Ottawa police were called and the trespassers were ordered off the property and warned not to repeat the offence.

The Metropolitan Toronto police force had received reports in 1977 of members of the same group entering public and high schools, soliciting funds, distributing literature, and disrupting classes. In these instances, persons involved were ejected by school officials or warned to leave by the police. In 1974, members of the same group entered a high school in the Hamilton-Wentworth Region without permission in an effort to solicit funds from students and to distribute literature. The trespassers were ordered from school property by the principal.

Shopping plazas and malls also are favoured by some groups as productive locations for proselytizing and fund raising. But security officers at shopping centres have frequently ordered group members off the premises because such solicitation of funds and other approaches to the public are considered undesirable and their presence is said to be trespassing.

MUNICIPAL BYLAWS

The power of each municipality to exercise jurisdiction over the health, safety, morality and welfare of its inhabitants is carried out under regulations or bylaws enacted by municipal councils. The enabling legislation that gives municipalities this power is The Municipal Act R.S.O. 1970 c. 284, as amended.

The following are examples of some alleged bylaw infractions that have brought various movements to police attention.

Begging

The Ottawa police force received a complaint from a citizen, who claimed to have been annoyed by members of an Eastern religious group who were begging for alms on the streets. However, an exception to Ottawa Bylaw 268-56/127-73 is allowed under section 19-A because it excludes institutions established for charitable purposes. The religious group was a federally-registered charity and, accordingly, no prosecution under the bylaw could be made.

However a number of municipalities have enacted bylaws, which prohibit begging for alms or other solicitation of funds unless under the authority of a permit, provided by the specified authorities. In the majority of contacts between police and movements, group members acting contrary to no-soliciting bylaws were warned but not charged.

Obstruction or Impeding

Another pertinent class of bylaws forbids the obstruction or impeding of pedestrian traffic by anyone engaged in activities, such as proselytizing, distributing literature, or soliciting funds. To some extent, such municipal legislation may overlap with the prohibition of such conduct in the Criminal Code. For example, on July 4, 1975, a resident of Windsor; Ontario, walking on a city street was asked by a youth from a new religious group to purchase a book. The pedestrian said he didn't want to purchase that type of book but the undaunted

youth continued to follow the man urging him to reconsider. The resident told police that he had been pestered and impeded by the group member. The matter could have been pursued either under criminal or municipal law.

Selling Without Permit

Still other bylaws govern the sale of goods for a purchase price or donation. Some municipalities have enacted legislation prohibiting transient traders and others from selling goods on public sidewalks. Others at least require that such vendors be licensed by the municipality. To get around such requirements, vendors for one religious movement reportedly have engaged in modest deceptions. They were said to have been placing bags of peanuts in the hands of passers-by, ostensibly as gifts, and then asking for "donations" of \$2. Indeed, during October 11 and 12, 1978, a team of five members of this movement in Thunder Bay, Ontario, raised \$2,200 for their parent "church" in Toronto. The members of the group were charged under a municipal bylaw with vending without a licence.

On May 16, 1979, the Brockville, Ontario, police force received a complaint about two persons selling decorative candles in the city without a licence in contravention of a local bylaw. Both were apprehended by the police and charged with violation of the bylaw.

Zoning Law Infractions

Zoning bylaws were the only other type of bylaw that came to the attention of the study as a form of regulation,

breached by some groups. These groups operate communal dwellings, reportedly in areas zoned for single- or two-family occupancy.

The enactment of municipal bylaws frequently brings constitutional challenge to their validity because of conflict with freedom of religion, freedom of speech, and freedom of association. For example, in International Society for Krishna Consciousness (Iskon Canada) v. City of Edmonton and Attorney General of Alberta (1979), 8 Alta.L.R. (2d) 375 the Supreme Court of Alberta dealt with an application wherein a constitutional question arose for the consideration of the court. The originating notice of motion of the applicant, Iskon Canada, posed two questions:

- (1) Does the Public Contributions Act, R.S.A. 1970, c. 29c, apply to religious organizations?
- (2) Do the provisions of the City of Edmonton by-law 2751 apply to the applicant?

Mr. Justice James Creighton Cavanagh characterized the factual background of the case in summary as:

- (1) the applicant is a religious organization;
- (2) it imposes on its members missionary duties including collecting alms and soliciting donations from the public;
- (3) the funds so collected are used for the purposes of the organization including the distribution of food to needy families in Bengal, India;
- (4) it proposes to solicit donations in public in Edmonton and elsewhere in Alberta;
- (5) it has not been authorized to do so under the Public Contributions Act of the Edmonton by-law 2751.

Section 3 of the Act prohibits the conduct of a campaign

to obtain funds for a charitable purpose unless authorized by the minister. Section 3 of the by-law makes the same prohibitions for a campaign within or partly within Edmonton unless authorized by the Edmonton Charitable Appeals Committee. Section 16 of the Act authorizes a city to enact such a by-law.

With respect to the municipal bylaw the court restated the questions to be answered:

Would such solicitation in Edmonton without an authorization by the Edmonton Charitable Appeals Committee be prohibited by s. 3 of by-law 2751?

The court was faced directly with the freedom of religion and definition of a religion problem. The court stated:

The applicant's first argument is that it is a religious organization and that collections for it are not collections for a charitable purpose and therefore are not prohibited. The material filed shows that this religious organization uses some of its collected funds for alms and charitable purposes. Hence it does not matter whether the organization itself comes within the definition of charitable purpose; clearly its activities do at least in part. The sections therefore would apply.

The second argument is that to apply these enactments to this applicant would be to contravene the Alberta Bill of Rights, 1972 (Alta.), c. 1. That Bill states that every law of Alberta shall be construed and applied so as not to abrogate or infringe a fundamental freedom. One of the fundamental freedoms recognized and declared to exist in Alberta is freedom of religion.

Frankfurter J. in Bd. of Education v. Barnette (1943), 319 U.S. 624 at 653, 87 L. ed. 1628, said this with regard to freedom of religion:

The constitutional protection of religious freedom terminated disabilities, it did not create new privileges. It gave religious equality, not civil immunity. Its essence is freedom from conformity to religious dogma, not freedom from conformity to law because of religious dogma.

That definition has been cited with approval by Ritchie

J. in the Supreme Court of Canada in Robertson and Rosetanni v. R., [1963] S.C.R. 651, 41 C.R. 392, [1964] 1 C.C.C. 1, 41 D.L.R. (2d) 485 and also Cartwright J. in the same case. It has also been cited with approval by the Court of Appeal in British Columbia in R. v. Harrold, [1971] 3 W.W.R. 365, 3 C.C.C. (2d) 387, 19 D.L.R. (3d) 471, by Tysoe J.A. at p. 478 in giving the unanimous judgment of the court. In Walter v. A.G. Alta., [1969] S.C.R. 383, 66 W.W.R. 513, 3 D.L.R. (3d) 1, another decision of the Supreme Court of Canada, Martland J. said at p. 521 with regard to religion:

Religion, as the subject matter of legislation, wherever the jurisdiction may lie, must mean religion in the sense that it is generally understood in Canada. It involves matters of faith and worship, and freedom of religion involves freedom in connection with the profession and dissemination of religious faith and the exercise of worship. But it does not mean freedom from compliance with provincial laws relative to the matter of property holding. There has been no suggestion that mortmain legislation by a provincial legislature is incompetent as interfering with freedom of religion.

A third definition comes from Black's Law Dictionary, revised 4th edition:

FREEDOM OF RELIGION. Embraces the concept of freedom to believe and freedom to act, the first of which is absolute, but the second of which remains subject to regulation for the protection of society. Oney v. Oklahoma City (1941), 120 F 2d 861 at 865.

All of those definitions of "freedom of religion" recognize that there is such a freedom but that the action of practising one's religion cannot be carried to the point of disobedience to the law. Thus the requirement of the Alberta Bill of Rights that provincial laws shall be construed so as not to abrogate or infringe upon freedom of religion does not mean that freedom of religion can abrogate or infringe upon the law. It might be otherwise if there was authority to and the provincial legislation did deal with religion. These enactments do not. I therefore reject the argument based on the Alberta Bill of Rights.

The next argument is that religion comes under the jurisdiction of Parliament and not of the legislature

and that therefore these enactments are ultra vires the province because they have to do with religion. It should be clear by now that I find that these enactments do not have to do with religion in their pith and substance. They have to do with charities, just as traffic laws have to do with traffic. Both may affect people engaged in the practice of their religion, but that does not make them laws about religion.

The last argument advanced is that while these enactments may be intra vires the province, they do affect religion. That is a field exclusively reserved for Parliament, and therefore they extend into and affect the area of religion; they cannot have that effect because that effect is an invasion of the exclusive area of Parliament. The answer to that argument is in part in the answer to the previous argument and is in part contained in the facts. This religion wants to be active in the charitable field. It wants to take part in a field exclusively within the power of the legislature, and it must submit to the laws of the legislature.

For all the foregoing reasons the answer to... the...question(s) is "yes." In the result, then, the application is dismissed.

Statistical Analysis of Police Data

An examination of police data sent to the study from across the province indicates that movements classed by police as cults, sects, mind development groups, or new religions are scattered widely throughout Ontario. The material indicates that there are 37 such movements. Twenty three of the 37 groups are established in cities with populations of more than 15,000 persons while 10 groups are in towns with populations between 2,000 and 15,000 persons. The remaining four groups can be found in rural areas and villages with under 2,000 population.

Police received the most complaints about seven of the 37 groups. Five of these groups would be described as

religious movements and two as mind development groups.

Unfortunately, most police records of occurrences with groups are found on the occurrence date and not by the name of the group. In addition, the material, available to the study, often did not indicate the nature of an investigation or the disposition of a complaint. Other factors may also have affected the sampling of police occurrences made available to the study. It is not unlikely that some occurrences, especially matters involving bylaw infractions or other lesser offences, escaped retrieval from police files altogether. Still, the sample the study examined was believed to represent the nature of pertinent occurrences on file with police throughout Ontario and a good reflection of their experience.

Table 19 summarizes occurrences in relation to which arrests were made, charges laid or substantial evidence to support the allegations was collected.

The Police Dilemma

Traditionally, the police officer has been characterized simply as a controller of crime, investigating possible breaches of the law, apprehending offenders, and bringing them before the courts. The officer is prepared for these responsibilities, outlined in The Police Act, by police college training and direction from his or her police force. The officer must exercise good judgment, of course, compassion, too. And it is expected that the training will prepare for that as well. But, when called upon to resolve problems involving cults, sects,

TABLE 19: OCCURRENCES (offences recorded by the police)
BY TYPE AND LOCATION

Category of Offence	Location	Number of Offences
1. Abduction, kidnapping, forcible confinement (since October 1974)	Windsor (2), Brantford, Plantagenet, London (2), Guelph, Orangeville	8
2. Minor assaults (since December 1975)	Windsor, Hamilton, Guelph	3
3. Fraud & other criminal misrepresentation (since August 1975)	Windsor, Brockville, Madoc, Peterborough, Hamilton (2), Toronto	7
4. Telephone harassment (since February 1979)	Bancroft, Sudbury, Toronto	3
5. Distribution of pornographic, obscene literature (since February 1979)	Kingston	1
6. Impeding or causing disturbance, obstruction of pedestrian traffic (criminal and bylaw) (since June 1975)	Windsor (4), Ottawa (2), London (3), Hamilton (3), Stoney Creek, Tillsonburg, Pembroke	15
7. Bylaw infractions relating to solicitation of funds without permit, sale of goods without licence, distribution of literature without permit, etc. (since February 1975)	Windsor (2), Leamington, London (2), Brampton, St. Catharines, Arnprior, Thunder Bay, Brockville, Hamilton	11

mind development groups, new religions, or deprogrammers, police officers often seem to feel adrift in situations, which do not conform with techniques of acquired training. Seldom are such situations cases of unchallengeable right against indisputable wrong. Frequently it may be difficult to discern the offender from the offended. Parents may demand that the state preserve the sanctity of the family and seek to enlist police assistance in retrieving a son from a group, which the parents may feel fraudulently recruited and hypnotically converted their offspring. In turn, the son may claim his right to treatment as an adult under the law and demand police protection of his freedom of religion and association. At the same time, the group may press for police action to stop parental harassment and trespass. And at the centre of this turbulence stands the police, often painfully certain of being caught in a classical "no-win" situation.

The study interviewed four police officers whose average length of experience in law enforcement was 18 years. Their involvement in the handling of complaints or inquiries about various movements date back in some instances to 1967. Two officers estimated that they had dealt with about 300 such matters. Their experience in this area is considered representative of most police officers.

The police officers said their services were more in the nature of social work than police work as envisaged by The Police Act. They said they dealt largely with distraught parents who claimed to have "lost" children to what most often

was described as a "cult." The officers listened, usually sympathized. And, although the problems did not involve a breach of law, they felt obliged in most cases to explain that the "children" were legally adults and free to make their own choices. The police officers also said they counselled parents to read about the group in question, try to make contact with it for discussion or perhaps to consult their own clergyman for advice and comfort.

The officers said the encounter was seldom easy. One officer described what usually happened this way:

We got into the refereeing aspect more than anything else. We usually ended up on the middle because you'd get a situation where a parent was pretty distraught and they said: 'Well, I'm going to go in there and take that kid out.' You tell them right off the bat: 'Listen, you are walking on thin ice there because you could be charged for abduction of your own child over the legal age limit, etcetera. You are the one that is going to end up in jail for a criminal offence because all these groups, particularly the larger ones, know the ins and outs of the judicial system. They use it to their full advantage.' They wouldn't be averse to even having the child of one of these parents lay the charges. It has happened in many cases against the parent.

The police officers maintained that it was not their policy nor that of the police force to counsel or assist in deprogramming.

None of the officers interviewed had ever laid criminal charges against a cult, sect, new religion, or mind development group. But they said they had reasonable grounds to undertake criminal investigation of some such groups involving the possibility that a criminal offence had been committed. The officers said they were aware that criminal

charges had been laid against some groups by police in Ontario.

The officers believed that for some adherents, groups do offer some positive benefits, such as termination of drug dependency, a sense of belonging, an environment in which to love and be loved by other persons. They said they were most concerned about the loss of individual and critical judgment, poor physical health, and psychiatric deterioration that results from membership in some groups. The police officers objected most to the "mesmerism" of adherents and the separation of members from their money and possessions by fraudulent means. Involving fraud, one officer said he believed the registered charitable status of some groups was being systematically abused.

The police officers noted that while they as individual officers had become familiar with the groups and related problems, in general most police constables in Ontario were not sufficiently trained to cope with such problems. They added that in order to deal with the kinds of fraud, deprogramming, tax evasion, or security problems, police in the province require more financial resources and manpower.

TAX RELIEF LEGISLATION

Much of the controversy over cults, sects, mind development groups, and new religions involves exemptions, often received by groups and their donors under various forms

of tax legislation. Thus the study examined relevant tax laws and methods by which various groups purport to qualify for exemption under the laws.

Of all the groups and the organizations known to be affiliated with them, nine were registered at the time of this study as charities under section 149 of the federal Income Tax Act. One group was registered as a non-profit organization under that section of the statute.

Registration as a Charity

An organization, registered as a charity, is exempt from paying income tax under Part I of the Act. In addition, members of the public, who are donors to such organizations, are permitted deductions from income under section 119(1)(a)(1) of the Act. A charity must be registered before a person is permitted to deduct donations and before an exemption from taxation of income is permitted to apply to the organization.

A registered charity is ordinarily a charitable organization within the meanings assigned by section 149.1(1) of the Income Tax Act. As indicated in Information Circular 77-14 of Revenue Canada the charitable purposes and objects are limited by statute:

3. To qualify for registration, the sole purposes and objects of an organization or foundation must be
 - (a) the relief of poverty,
 - (b) the advancement of religion,
 - (c) the advancement of education, or
 - (d) other purposes of a charitable nature

beneficial to the community as a whole.

4. (a) Organizations and foundations for the relief of poverty include national or local organizations such as a children's aid society, an orphanage, a family welfare bureau and an organization supplying low cost housing to the poor.
- (b) Advancement of education means the advancement of education for its own sake so that the mind may be trained. In that context it may include the dissemination of a philosophy or system of doctrine provided it is not pernicious or subversive of morality, but not the advocacy of any political party.
5. The purpose stated in 3(d) above is the most difficult one to interpret.
 - (a) It includes purposes where the benefits involved are available to all members of the community without discrimination so that the purposes have a truly public character, although this would not necessarily exclude the requirement of reasonable fees which, with other income, go entirely to support the work of the benefitting group. The group cannot be confined to members of a family, employees of a company or group of companies or any grouping in which all members of the community cannot join or participate.
 - (b) The purpose can be the provision of public recreation but not the advancement of any particular sport. The provision of picnic areas, playgrounds and athletic facilities for the recreation use of members of a community would usually meet this purpose.
 - (c) The purpose can be the provision of a social or cultural facility for the benefit of the community - such as a community hall to be available for theatrical purposes, social clubs, meetings and similar purposes.
6. Recognition will be given to an organization or foundation meeting the purposes outlined in 5 above subject to the following conditions:
 - (a) As an unincorporated charity cannot have

title to real property, title to such property acquired by or donated to such a charity must vest in a municipality.

- (b) It was not formed by any individual or group of individuals for the promotion, advocacy or performance of a particular purpose peculiar to the individual or the group, however beneficial or desirable its nature.
- (c) Its objects or purposes are not stated to be patriotic, fraternal or benevolent, or the advocacy of political action.
- (d) No right, privilege, benefit or advantage may accrue to any member, shareholder, trustee or settlor.

A charity may be an incorporated entity. A "charitable organization" is defined in section 149(b) of the Act as follows:

'Charitable organization' means an organization, whether or not incorporated, all the resources of which are devoted to charitable activities carried on by the organization itself and no part of the income of which is payable to, or is otherwise available for, the personal benefit of any proprietor, member, shareholder, trustee settlor thereof.

The charity in any fiscal period must devote all of its resources to charitable activities. The percentage of income that must be devoted to charitable activities in any given taxation year is determined according to a formula set out in the Income Tax Act.

Under the Act, charities may operate what are referred to as "related businesses" without violating their charitable status if the manner in which such businesses are operated conforms to section 149.1(j) of the statute:

'related business' in relation to a charity includes a business that is unrelated to the objects of the charity if substantially all of the people employed

by the charity in the carrying on of that business are not remunerated for such employment...

The Minister of Consumer and Commercial Relations has the power to revoke the registration of a charitable organization if, among other things, it carries on a business that is not a "related business" as defined by section 149.1(2) of the Act.

Prior to acceptance for registration as a charity, the applicant organization must file a constitution which includes:

1. the name of the charity,
2. its object(s),
3. a clause stating that the charity will be carried on without purpose of gain for its members and any profits or other accretions to it will be used to promote its object(s).
4. the organizational structure (president or chairman, secretary, treasurer, etc.),
5. the effective date of the document,
6. the signatures of the current officers of the charity.

To permit monitoring of obligations attached to registered status, reporting requirements are ordered by the Act. One copy of the Application for Registration Form T2050 is filed with the Department of National Revenue. Yearly, a copy of the charity's financial statements, form T2053 -- Return of Information, and, two copies of form T3010 -- Public Information Return are to be filed with the government within three months after the end of the charity's fiscal period. The Department of National Revenue-Taxation is responsible for examination and audit of such returns. Section 149.1(15)

of the Act stipulates that members of the public have access only to the Public Information Form T3010. The Return of Information Form T2052 and the detailed financial statements are confidential.

Any official receipt issued by the charity to acknowledge donation must bear its name as officially registered and the registration number. Certain payments are deemed by the Act *not* to be donations qualifying for the appropriate deduction from income. Such ineligible donations and payments are described in the department's Information Circular 77-14:

36. Certain types of payments made to charities do not qualify as donations and are not deductible for income tax purposes. Accordingly, 'official receipts' bearing a charity's 'registration number' should not be issued for such payments. They are:

- (a) payments for membership that convey an advantage of material character to the member (the right to vote at meetings and to receive financial statements and reports on the activities of the charity is not considered to be a material advantage);
- (b) tuition fees or other payments for which any right, privilege, benefit or advantage may accrue to amounts received by loose collection, i.e. where a particular donor cannot be identified as having made a particular donation;
- (c) amounts received by loose collection, i.e. where a particular donor cannot be identified as having made a particular donation;
- (d) donations of services, where the donor requests that in lieu of payment for services, he be supplied with a donation receipt to the value of services rendered;
- (e) donations of merchandise where its cost has been charged as an expense of business;
- (f) donations of old clothes, furniture, etc.; and

- (g) amounts paid for tickets or rights to attend and participate in card parties, bingos, lotteries, etc., despite the fact that such activities may be held for the benefit of one or more specific charities.

Registration as a Non-Profit Organization

A new religious group examined by the study was registered under section 149 of the federal Income Tax Act as a non-profit organization. Registered under section 149 a non-profit organization is entitled to a certain relaxation of taxation on profits. The first \$2,000 of profit are tax exempt and any further profit is taxable at ordinary corporate rates.

Financial Structure of the Applicants for Registration

Allegations have been made that some larger groups, which have received tax relief, have national and international networks of affiliated organizations, engaged in secular and religious activities. The financial and sometimes political activities of such groups really emerge as part of what is essentially one world-wide organization. Therefore, it calls into question whether the tax exempt status is used for charitable or similar purposes. It has been alleged that immigration laws have been broken both in the U.S. and Canada when group members illegally cross the border to raise funds for non-charitable purposes. Members who travel and work for allegedly separate, independent organizations of one group are the principal factor linking the components together to what essentially is one group. Some organizations also seem to intermix finances. A large group with several satellite

businesses and front groups can take on a constantly expanding and changing position. Organizations, established under a variety of names, may employ holding companies and other complex corporate structures to obscure the relationship to the overall main group. Certainly evidence before the study indicated that in some larger groups, directors and officers were shared. Organizations within a group may be tied to one another through joint activities, financing, and mutual use of projects. It has been alleged that some of these larger groups attempt to minimize any inter-relationship between organizations. Instead they prefer to keep the main group -- the religious or mind development group -- apart from the other organizations. Critics of groups allege that some practices of these larger groups tend to show that they are in conflict with their tax exempt status. Piercing the corporate wall around these interlocked organizations is most difficult. It is alleged that the leader of such groups while said to be a religious figure has substantial control over temporal business matters. Transfers of money and large amounts of cash are moved out of the country where the income is earned to a parent company or another person somewhere else in the world.

Alleged Abuses of Registered Charitable Status

A few techniques, allegedly used by some groups to maximize financial benefits for their leaders and perhaps other officers, constitute ingeniously fraudulent manipulations of rules governing tax exemptions.

It has been said that some groups examined in this study have managed to earn substantial profits for their leaders

despite having operating costs seemingly running as high as 92 per cent. Charitable objectives consumed the remainder. It was claimed that they do so by paying artificially inflated fees to suppliers of teaching materials, books, or services located in countries, where their incomes are not taxed. The following example, which was constructed from the testimony of interviewees, indicates how such an arrangement might work:

A., a registered charity, earns \$1,000,000 income in 1979. During that year, A. pays \$200,000 to B., a parent company, church or individual outside of Canada, for books, teaching aids, training seminars, or other services. A. pays \$50,000 to C., a foreign subsidiary of B., for books and royalties. The total market value of the services and goods provided by B. and C. to A. is \$40,000.

A., as a registered charity, pays no tax on its \$1,000,000 income; it appears to comply with the provisions of the Income Tax Act regarding expenditure on charitable objectives. B. eventually is paid \$250,000 in funds that have not been taxed in Canada. That money -- minus \$40,000 expended on goods and services actually provided -- is paid to the accounts of B. and C. somewhere in the world where it is not taxed. For the purposes of reporting to the Canadian government taxation authorities A. represents the \$250,000 sent out of Canada as a legitimate expense of earning income to provide charitable works.

In reality, a profit of \$210,000, untaxed anywhere in the world, is moved out of Canada to B., a parent church, company or leader of the group worldwide.

Study evidence and testimony indicate that funds collected to support the work of a charitable foundation affiliated with a Toronto mind development group seldom may have been used for that purpose. Instead, it is alleged much of the money may have been paid as reimbursement for "expenses"

purportedly incurred by the leader of the parent mind development group who also is a director of the foundation. It also is claimed that the foundation may have been stripped of other funds as a result of paying inflated prices for goods provided to it by a commercial operation, owned by the leader of its parent group.

Yet another abuse of tax-exempt status is alleged to occur in some groups with leaders running commercial ventures in addition to their untaxed movements. The fictitious example offered below illustrates how the leaders of some groups are alleged to profit in such circumstances:

A. is a registered charity with tax-exempt income. B. is a commercial company. A. and B. have common directors and some common personnel. B.'s profits, paid to A., are tax deductible up to 20% of B.'s income because of A.'s charitable status. (If B. were a 'related business' under section 149.1(j) of the Income Tax Act, 100 per cent of B.'s income donated to A. would be non-taxable.)

A. also recruits adherents who give up everything to A. Then A. directs its followers to work for it and B. at minimal or no salary. B. grows until it invests by purchasing C. and D. and so on. The founder of A. draws income directly and indirectly from A., B., C. and D.

Alleged Abuses of Non-profit Status

An international movement calling itself a church is the one group in this study that is registered as a non-profit corporation. Documentary sources supplement allegations by persons interviewed by the study that the movement masquerades as a religion while acting like a business.

The group offers a hierarchy of ascending courses to

help its members reach the ultimate state of self-awareness. The group purports to request "donations" for these courses although, in fact, there is said to be a set scale of ascending fees. It is alleged that the operation is a profit-making, secular company which channels its income to its founder directly and indirectly as well as supporting a hierarchy of officers. If these charges were true, they would constitute a fraud on members of the public and group members who gave money to a non-charitable organization. It would also mean fraud of the federal government because of the taxes that were not paid.

It is alleged that the group says it gives allowances instead of salaries to staff members. In so doing, the group does not pay Unemployment Insurance or Canada Pension payments to the federal government. Further, in some instances the provincial minimum hourly wage is not paid.

This movement also allegedly pays extraordinarily high salaries to its leaders. As well it reportedly pays fees for consulting, teaching, royalties, and other services, which are never performed and might not be worth the price if performed. These funds, which some sources claim to run to millions of dollars a year, reportedly find their way into foreign bank accounts.

Responsible Compliance with the Income Tax Act

Revenue Canada has the responsibility of ensuring that all the required returns -- the T2052 and T3010 forms --

are filed by the registered charities. Once the returns are filed auditing is completed on the T2052 returns. There is no review of the validity of information on T3010 returns. According to Revenue Canada, an application for registration as a charity is subjected to careful examination to establish the *bona fides* of an organization and ensure that the requirements of the Act are met before registration is granted. Government officials do not render opinions on the validity of the religious principles presented by applicant organizations. They do not judge applicants' methods of operation except insofar as they may be "pernicious or subversive of morality."

Furthermore, Revenue Canada employees say they administer an ongoing program of spot-checking registered charities to determine whether they continue to comply with the requirements of the Income Tax Act. When specific contraventions are brought to their attention by internal review or other sources, officials investigate. If an organization is at fault, the punitive sanctions of the Act are imposed.

The study examined T3010 forms of those groups within its ambit that possessed registered status under section 149 of the Act. The forms were incomplete and generally of little value without the financial statements, which are not available to the public. The financial statements could have shed light on:

- (1) the qualified recipients to whom gifts are made;
- (2) the nature of the charitable activities upon which income is expended;

- (3) why one registered charity made a "nil" return in 1978 although it had over \$90,000 income in 1977;
- (4) the breakdown of administrative costs;
- (5) the type of expenditure and the kind of assets on which one registered charity spend \$359,032.39 in 1977 to carry on a charitable activity;
- (6) two registered charities had income of \$606,872.93 and \$397,147.38 respectively which was described as from "fundraisings" without explanation of the percentage of income for which contribution receipts were provided; and
- (7) what amount of income is sent out of Canada either as administrative expense or charitable contributions by registered charities.

Municipal Taxation

Another tax advantage, enjoyed by some new religious groups, is the exemption of buildings and other property they own from municipal or property taxes.

All real property in the Province of Ontario is liable to assessment and taxation. The municipal or local taxes levied from assessment contribute to financial support of local improvements -- roads, sewers and schools. The relevant sections of the provincial statute are:

3. All real property in Ontario is liable to assessment and taxation, subject to the following exemptions from taxation:

- 3. Every place of worship and land used in connection therewith and every churchyard, cemetery or

burying ground.

- (a) where land is acquired for the purpose of a cemetery or burying ground but is not immediately required for such purpose, it is not entitled to exemption from taxation under this paragraph until it has been enclosed and actually and bona fide required, used and occupied for the interment of the dead.
 - (b) the exemption from taxation under this paragraph does not apply to lands rented or leased to a church or religious organization by any person other than another church or religious organization.
5. The buildings and grounds of and attached to or otherwise bona fide used in connection with and for the purposes of a seminary of learning maintained for philanthropic or religious purposes, the whole profits from which are devoted or applied to such purposes, but such grounds and buildings are exempt only while actually used and occupied by such seminary.
 6. The buildings and grounds not exceeding in the whole fifty acres of and attached to or otherwise bona fide used in connection with and for the purposes of a seminary of learning maintained for educational purposes, the whole profits from which are devoted or applied to such purposes, but such grounds and buildings are exempt only while actually used and occupied by such seminary, and such exemption does not extend to include any part of the lands of such a seminary that are used for farming or agricultural pursuits and are worked on shares with any other person, or if the annual or other crops, or any part thereof, from such lands are sold.
- (a) the exemption from taxation under this paragraph does not apply to lands rented or leased to a seminary of learning mentioned in this paragraph by any person other than another such seminary of learning or a person already exempt from taxation in respect of the property rented or leased.

4. The council of any local municipality may pass by-laws exempting from taxes, other than school taxes and local improvement rates, the land of any religious institution named in the by-law, provided that the land is owned by the institution and occupied and

used solely for recreational purposes, on such conditions as may be set out in the by-law.

It appears that the majority of the applications for exemption from assessment are made by motion to the County Court or to the Supreme Court to gain exemption status under sections 3.3, 3.5 or 3.6 of the Act. The Act does not purport to define "religious organization" or indeed charitable groups. Accordingly, the legislature has left the issue to the courts to determine on a case-by-case basis.

A person who applies to claim the benefit of an exempting provision in a taxing statute must come within the exempting clauses of the legislation. If there is any doubt as to whether a person comes within the exemption, then the claim for exemption will be disallowed by the court. Each case falls to be determined very much on its own facts in the circumstances of the material filed (usually by Affidavit) by the applicant.

On October 31, 1979, the Ontario Divisional Court in Associated Gospel Churches v. Regional Assessment Commissioner, Region No. 13 and the Corporation of the Township of Brock rejected an appeal by the applicant from the refusal of the Supreme Court of Ontario to grant exemption from assessment to the applicant under sections 3(5)(6) of The Assessment Act. Mr. Justice D.R. Steele on behalf of the Court succinctly stated the problem and the approach of the Court:

I am of the opinion that the proper test in considering application such as this is set out in my decision in Re Inter-Varsity Christian Fellowship of Canada and Assessment Commissioner

for the Region of Muskoka, 23 O.R. (2d) 589 at p. 593:-

...First, the user of the lands and premises must have the intention of using them for a purpose of a seminary of learning for philanthropic or religious purposes. Secondly, the persons in attendance thereat must have dedicated themselves to that purpose. Thirdly, the whole profits from the use of the property are used for the seminary of learning on the property.

. . .

The real issue is that the user of the lands and premises must have the intention of using them for a purpose of seminary of learning or philanthropic or religious purposes. In other words, "What is the primary purpose of the use of the lands?" In my opinion, this is an objective test and not a subjective test. In the present case the owner of the lands has corporate objects that are of a religious nature. The question, however, is what are the objects of the owner relating to this property as actually expressed by its use.

. . .

If the primary purpose of the use of the lands is religion or a seminary of learning, it makes no difference whether this be carried on in a spartan or lavish existence any more than if the teaching of Christianity takes place in a catacomb or a cathedral.

The governing law is stated in Worldwide Evangelization Crusade (Canada) v. Village of Beamsville (1960), S.C.R. 49. In that case it was conceded that the activities carried on were for religious purposes but the dispute was as to whether or not they constituted a seminary of learning. All of the persons in attendance were in training to become missionaries and, while part of the day was devoted to religious training, the balance of the day was devoted to other educational pursuits of a practical nature which might assist them in successfully carrying on their work as missionaries in foreign fields under primitive conditions.

I quote from pages 52 and 53, as follows:

It appears from uncontradicted evidence that the purpose of those attending the appellant's establishment is to learn how to become missionaries or, in the case of those who are already

engaged in that calling, to become better missionaries. It further appears that there has been great success in achieving the desired result. Learning to be better missionaries is no mere by-product or chance result of these persons living and working together in this establishment; it is the primary purpose of their association. That the subject of their study comprise only the Holy Scriptures and those practical skills useful in the mission field does not, in my opinion, render the word "learning" inapt to describe their activities.

In my opinion, the proper way to decide whether para. 5 is applicable is not to compare the appellant's method of instruction with that given in other institutions which undoubtedly fall within the description of "seminary of learning", but rather to inquire whether those in attendance do learn to fulfil better and more effectively the religious purpose to which they have dedicated themselves.

I take the above to mean that in order to be a seminary of learning within the meaning of this exclusionary paragraph, the primary purpose must be a seminary of learning and that the education of the persons in attendance is no mere by-product or chance result of those persons attending and living on the location. The method of teaching should not be considered in an unduly restricted sense in determining whether or not it is a seminary of learning. However, this does not detract from the primary issue that the principal object of the use of the land is a seminary of learning. The end result is that in each case the principal purpose in actual use of the lands must be considered, not the ideas or stated objects of the owners or users thereof. It is an objective test as opposed to a subjective test.

The study has not attempted to check with each municipal and township clerk to determine the number of mind development groups, sects, cults, and new religions which have received assessment exemption in Ontario. In effect, when a new religious group is granted an exemption from taxation, the court must seem, to an extent, to be acknowledging the applicant as a religion. It would appear that

the ingenuity of some groups and their solicitors could lead to manipulation of the particular operation or location of the group to "squeeze" within the exemption. If such a group were or became a profit-making company masquerading as a spiritual movement, it would be receiving a substantial financial benefit through non-payment of municipal taxes.

OFFICE OF THE REGISTRAR GENERAL

Defining Religion Under the Ontario Marriage Act

There are few occasions when government becomes involved in a decision determining whether an organization qualifies as a religious body. However, when an individual or a group seeks the authority to conduct religious marriage ceremonies, a provincial government decision on the question is required.

The right to perform legally recognized marriages -- religious or civil -- is governed in Ontario by The Marriage Act of 1977, S.O. 1977, c. 42. The legislation has been augmented by statutory regulations and by a set of administrative rules, which have evolved over several years as a matter of common practice. For the most part, the rules have no statutory authority, but are considered reasonable standards to enforce in the light of the requirements of the Act.

The administration of the Act is the responsibility of the Minister of Consumer and Commercial Relations. Section 3 of the Act provides that:

Where, under this Act, a power or duty is granted to or vested in the Minister, he may in writing, subject to the approval of the Lieutenant Governor in Council, delegate that power or duty to the Deputy Minister of Consumer and Commercial Relations, or to any officer or officers of the Ministry of Consumer and Commercial Relations, subject to such limitations, restrictions, conditions and requirements as the Minister may set out in his delegation.

The Minister has delegated to the Office of the Registrar General the approval of applications for the authority to conduct marriages and the registration of applicants. Without solemnization of a marriage by a person duly registered under the Act, the marriage is legally void.

When a person applies to the Office of the Registrar General for registration as a minister of a religious group, the Registrar must determine whether:

- . the applicant has been ordained or appointed according to the rites and usages of the religious body to which he belongs;
- . whether the applicant belongs to a religious group.

The only statutory guidance the Registrar has in making this second decision is contained in section 20(3)(c) of the Act. The section states that no person shall be registered to solemnize marriages under the Act unless it appears to the Minister of Consumer and Commercial Relations that "the religious body to which the person belongs is permanently established both as to the continuity of its existence and as to its rites and ceremonies." However, the use of the words "religious body" in the statute seems to

beg the question as to the definition of such a body. Without any clear statutory guidance, the Registrar General must exercise his discretion about registration with only the self-serving written material provided in an application to guide him. According to the Registrar General, no expert academic and theological opinion is solicited to assist in the decision-making process. The Office of the Registrar General has no investigatory arm to authenticate the submissions made by an applicant as to his own *bona fides* or that of the religious body he purports to represent. The *individual applicant* is required by the Registrar to file documentation as part of the procedure for approval for registration that includes:

- . a copy of the record of his ordination or appointment;
- . a record of the authorization by the religious body permitting him to solemnize marriage according to its rites and usages;
- . a statement showing the names, locality, place of worship, number of members and adherents of the applicant's congregation, branch, or local unit.

The Registrar requires that an application by a *religious denomination* for registration include:

- a copy of its bylaws or rules containing the rites and usages it employs in the appointment and dismissal of ministers and clergymen;

- . the rites and usages of the body respecting the solemnization of marriage;
- . its form of worship -- that is, "actions or practices of displaying reverence or veneration paid to a being or power regarded as supernatural or divine displayed by appropriate acts, rites or ceremonies;"
- . the date and place of its incorporation or founding;
- . an outline of the extent and growth of the membership of the body;
- . the organizational structure of the body, indicating specifically the governing official in this province;
- . the procedure by which the governing official is vested with and relieved of jurisdictional authority;
- . statement verifying that the denomination has been functioning continuously for at least 25 years.

The 25-year rule is intended to ensure that organizations granted the right to conduct marriages are permanent and of some substance. G.H. Dunbar, Provincial Secretary from 1943 to 1946, started the rule, which he intended as a policy that would provide reasonable guidance for those who rule on a group's permanence. The rule has been interpreted to mean that an organization has to have been functioning for 25 years somewhere in the world.

The validity of the rule was tested on at least one occasion. An applicant, who was denied registration because of inability to comply with the 25-year requirement, brought his grievance to the provincial Ombudsman. The applicant was a minister in a church, which had been operating in the U.S. for six years. In response to the inquiry from the Ombudsman, the Ministry of Consumer and Commercial Relations stated that "in today's society, where new religions are being established with great frequency, many of them are short-lived." The position of the Ministry of Consumer and Commercial Relations was upheld as reasonable by the Ombudsman.

The Registrar General has recommended that perhaps the government "ought to get out of the business of defining religion." This could be accomplished by an amendment to The Marriage Act, which would require all marriages be civil marriages. Such a procedure would not require the government to determine whether any organization is a religious body. The authorization of more persons, perhaps municipal clerks, to solemnize marriages under regulations to the Act would ease the pressures on provincial judges and justices of the peace, who now perform civil marriages in Ontario.

How would this affect the already-recognized religious bodies and established churches in the province? At present the Office of the Registrar General is not opposed, nor is the statute itself, to persons already civilly married going through a religious ceremony with exchange of marriage vows. Provided that no certificate of marriage or other document referring to The Marriage Act is issued on the basis of it,

the religious ceremony is legal. This ceremony is not registered under The Vital Statistics Act. Prior to the religious ceremony, the couple would give the minister the certificate of their civil marriage.

In setting out this proposal, the study does not imply either approval or disapproval because considerations of that kind are beyond its terms of reference. The concept is described only to indicate the kind of idea that has arisen in response to a problem the Registrar faces under The Marriage Act.

Civil Marriages

To perform a civil marriage, authority to solemnize marriage is required through registration pursuant to section 24 of The Marriage Act. The bride and groom arrange for two credible witnesses to be present at the marriage (section 25). Under The Justices of the Peace Act, Justices of the Peace shall not act in any case, including the solemnization of marriage, except under the direction of a Provincial Judge (section 6(2) of The Justices of the Peace Act). Justices of the Peace are registered to solemnize marriages by the Minister of Consumer and Commercial Relations after receiving notice that they have received direction. No particular form of ceremony is required except in the presence of the person solemnizing the marriage and witnesses. Each of the parties are required to declare:

I do solemnly declare that I do not know of any lawful impediment why I, AB, may not be joined in matrimony to CD,

and each of the parties shall say to the other:

I call upon these persons here present to witness that I, AB, do take you, CD, to be my lawful wedded wife (or husband),

after which the person solemnizing the marriage shall say:

I, EF, by virtue of the powers vested in me by The Marriage Act, 1977, do hereby pronounce you AB and CD to be husband and wife. (section 24(3).)

Criminal Liability in Respect of Marriages

The Criminal Code of Canada, R.S.C. 1970, c. C-34, as amended provides a number of offences involving the participation and performance of marriages. The relevant sections of the Code are reproduced as Appendix D. Section 254 of the Code defines the offence of bigamy. Section 256 relates to the crime of procuring a feigned marriage and section 257 to the offence of polygamy. Of special significance are sections 258 and 259:

Unlawful Solemnization of Marriage

PRETENDING TO SOLEMNIZE MARRIAGE

258. Every one who

- (a) solemnizes or pretends to solemnize a marriage without lawful authority, the proof of which lies upon him, or
- (b) procures a person to solemnize a marriage knowing that he is not lawfully authorized to solemnize the marriage

is guilty of an indictable offence and is liable to imprisonment for two years.

Marriage contrary to law.

259. Every one who, being lawfully authorized to solemnize marriage, knowingly and wilfully solemnizes a marriage in violation of the laws of the province in which the marriage is solemnized is guilty of an indictable offence and is liable to imprisonment for two years.

OFFICE OF THE OMBUDSMAN

Ontario established the Office of the Ombudsman in the spring of 1975 with the passing of The Ombudsman Act, S.O. 1975, c. 42. Under the legislation, the Ombudsman is assigned the responsibility for the investigation and resolution of complaints arising from administrative decisions and acts of officials and agencies of the Government of Ontario.

The function of the Ombudsman, as set forth in section 15 of the Act is "to investigate any decision or recommendation made or any act done or omitted in the course of the administration of a governmental organization and affecting any person or body of persons in his or its personal capacity." The Ombudsman may make any such investigation either on a complaint made to him by any person affected, or of his own initiation.

The Ombudsman is afforded broad powers of investigation and access to information. After investigation, if he believes that the complaint submitted to him is a valid one, he reports his opinion and his reasons to the appropriate governmental organization, and may make any recommendations he thinks fit. Section 22 of the Act prescribes the circumstances under which the Ombudsman reports an opinion relating to his investigation to the appropriate governmental organization:

- 22 (1) ...[where] the Ombudsman is of the opinion that the decision, recommendation, act or omission which was the subject-matter of the investigation,
- (a) appears to have been contrary to law;

- (b) was unreasonable, unjust, oppressive or improperly discriminatory, or was in accordance with a rule of law or a provision of any Act or a practice that is or may be unreasonable, unjust, oppressive, or improperly discriminatory;
 - (c) was based wholly or partly on a mistake of law or fact; or
 - (d) was wrong.
- (2) This section also applies in any case where the Ombudsman is of opinion that in the making of the decision or recommendation, or in the doing or omission of the act, a discretionary power has been exercised for an improper purpose or on irrelevant grounds or on the taking into account of irrelevant considerations, or that, in the case of a decision made in the exercise of any discretionary power, reasons should have been given for the decision.

If the Ombudsman makes a recommendation after any investigation and no appropriate action results within a reasonable time, he must inform the complainant of his recommendation and may make appropriate comments. After any investigation, even where the Ombudsman does not make a recommendation, he must inform the complainant of the result.

There are certain governmental actions which the Legislature of Ontario has excluded him from investigating. The Act does not apply either to judges or to the functions of any court, nor to any proceedings of the Executive Council (Cabinet) or its committees. Accordingly, the Ombudsman may not investigate any action of these officials or bodies.

In addition, the Ombudsman is empowered to investigate any decision, recommendation, act or omission even where a right of appeal or review exists under any Act, but not until

that right of appeal or application has been exercised, or until after any time for the exercise of that right has expired.

The Ombudsman may not investigate any decision, recommendation, act or omission of any person acting as legal adviser or counsel to the Crown.

Experience of the Ombudsman

Within the limits of confidentiality established by his legislation, the Ombudsman supplied the study with information describing the number of contacts or complaints his office received about mind development groups, sects, cults, and new religions in the province. He also provided a general description of the type of complaint and complainant in each instance and a summary of the disposition of each matter.

A release-of-information form was sent to each of the eight complainants by the Office of the Ombudsman for signature and return as authorization for the release of more specific factual information to the study. Five of the complainants responded favourably, authorizing the study to review their complaints and material forwarded to the Office of the Ombudsman. Some already had complained to the Ministry of Consumer and Commercial Relations.

Most of the eight complainants had registered grievances against a Toronto-based mind development group. In fact, the five who returned release-of-information forms all complained against this movement. Most frequently-expressed

concerns are listed below in descending order of intensity:

1. mind control, hypnosis, brainwashing, mental breakdown;
2. consumer rights violations (financial abuses, onerous contracts, misrepresentation);
3. coercion, alienation, interference with family unit;
4. interference with schooling, employment;
5. violence, abduction, forcible confinement.

In most instances, the Ombudsman could respond only that an investigation of the group was being conducted by the Attorney General and Ontario Provincial Police at the time the complaints were received.

Of the eight who lodged complaints with the Ombudsman, three had taken a mind development course or attended a lecture; two had a child or friend in a group; one was a teacher concerned about a student and one was a member of an anti-mind development organization. The interest of the eighth was not known.

Summaries of the concerns expressed by those persons who returned release-of-information forms to the Ombudsman are:

Case No. 1: The complainant wrote the Ombudsman, the Attorney General and the media urging legislation to control "mind-bending" organizations. The complaint alleged that the mind development group centred in Toronto indulged in:

1. Physical abuse, i.e., pushing, shoving, hurling water on, dragging by the hair, etc.
2. Verbal abuse using the foulest language.
3. False accusations of homosexuality/lesbianism.

4. False accusations of sexual attraction to one's parents.
5. Humiliation.
6. Illegal use of hypnosis (attested to by the President of the Ontario Society for Clinical Hypnosis.)
7. Degradation.
8. Hatred and rejection of parents and their values.
9. Misleading publicity.

The complainant also wanted the Minister of Health to hear a presentation by a delegation of persons opposed to the unfettered operations of mind development groups.

Case No. 2: The complainant, a principal of a senior school in rural Ontario, wrote to the Ombudsman expressing his concern regarding the courses and practices of the mind development group -- especially their effects on youthful persons -- as reported in the media. The writer wanted a government investigation into the operation of all such mind development organizations.

Case No. 3: The complainant, the parent of a son who had joined the mind development group, wrote about the complete control which the group, in particular its leaders, had gained over this young man. The writer wanted an investigation to be conducted into the group to protect the health and well-being of citizens of Ontario.

Case No. 4: The writer had attended an introductory lecture offered by the mind development company, and had spoken with several persons who had taken a more advanced course,

offered by the same company. The complainant, feeling that the courses were potentially dangerous, urged investigation of organizations applying for registration for charitable status.

Case No. 5: The complainant contacted the Office of the Ombudsman on more than one occasion to criticize the mind development company. A graduate of some of the courses offered by the company, the writer argued that hypnosis was illegally employed on students without consent. The complainant said the Minister of Health had failed to perform his statutory duty under The Hypnosis Act R.S.O. 1970, c. 216, section 1. That section designates the Minister as the person responsible for administration and enforcement of the Act. After personal experience and consultation with medical experts in the field of clinical hypnosis, the writer said clear evidence existed for investigation and prosecution of the mind development group under the statute. The writer also said that under section 1 of the statute, the Minister ought to have appointed qualified medical personnel to investigate the complaint as opposed to peace officers, who lacked the requisite medical knowledge of hypnosis.

The complainant argued that the deleterious effects of certain mind development courses on the mental health of the public ought to be checked by the government. He stated on behalf of himself and other concerned persons:

We believe that the citizens of Ontario must have recourse to some Government Agency should they suffer mental or emotional damage at the hands of unqualified persons using highly dangerous psychological methods.

If body rub parlours require a licence it's not unreasonable to call for some restriction on the proliferation of mind-bending courses.

OTHER MINISTRIES AND GOVERNMENT AGENCIES

While much of the material dealing with groups in this chapter comes from the Ministry of Consumer and Commercial Relations, other government Ministries and agencies have also reported dealings.

The study asked six Ministries whether they had provided grants or other financial assistance to any of the 14 groups under study. The Ministries of Community and Social Services, Culture and Recreation, Correctional Services, Education - Colleges and Universities, Health, and Housing replied that no such monies or grants were provided to the groups.

Other dealings by government Ministries and agencies have been summarized in the next section and involve the Ministries of Health, Education - Colleges and Universities, Correctional Services, Community and Social services, Attorney General, Solicitor General, and Housing as well as the Ontario Human Rights Commission.

MINISTRY OF HEALTH

This Ministry received a number of letters with complaints about the activities of the groups.

Frequently, in its review of complaints against the

movements, the study came upon allegations that various groups were dabbling in areas, which were properly the exclusive domain of licensed members of the health disciplines. It was alleged that a mind development group was participating in such dabbling when it promised that its techniques could free participants from headaches or tension and give them healing powers. A meditation movement's claims that it could bring practitioners of its techniques to perfect health also came under similar attack. The alleged use of hypnosis by some groups was assailed, and various movements were under fire for allegedly advising or at least influencing members not to take professionally prescribed medication.

In view of such complaints, two pieces of legislation administered by the Ministry of Health seemed relevant to this discussion.

The Health Disciplines Act

For the most part, The Health Disciplines Act is the statutory authority for the various administrative structures that govern such practices as medicine, optometry, or dentistry. However, since various groups have been accused of undertaking what complainants perceive as the practice of medicine, two sections of the Act seem pertinent.

First of all, section 114 of the Act, as amended in 1975, restricts the use of certain titles to classes of licensed professionals. The section says:

- (2) ...any person not licensed under this Part who takes or uses any name, title, addition or

description implying or calculated to lead people to infer that he is licensed or registered under this Part or that he is recognized by law or otherwise as an optometrist or who assumes or employs the title or description 'doctor' or 'optometrist' or any affix or prefix indicative of such titles or qualifications as an occupational designation relating to the treatment of human ailments or physical defects or advertises or holds himself out as such is guilty of an offence and on summary conviction is liable for the first offence to a fine of not more than \$1,000 and for each subsequent offence to a fine of not more than \$2,000.

Perhaps more to the point of the kinds of complaints often lodged against several of the groups is the following section which sets limits on the practice of medicine:

52. (1) No person shall engage in or hold himself out as engaging in the practice of medicine unless he is licensed under this Part...

(4) For the purposes of this section, proof of the performance of one act in the practice of medicine on one occasion is sufficient to establish engaging in the practice of medicine...

(7) Nothing in this Part shall be construed to affect the treatment of human ailments by the use of prayer or spiritual means in the exercise of a religion in accordance with the tenets of an established church by the members thereof.

In defining what constitutes medical practice, the Act says only that "'practice of medicine' includes the practice of surgery and obstetrics."

It likely will not be lost on many anti-cultists that the only religious exemption allowed under this statute is given to those who act according to tenets of an "established" church. However, it still is doubtful whether courts would be sympathetic to charges brought against "new" religions either.

But even if issues of religious freedom were not likely to become involved, Ministry of Health officials believe any attempt to prosecute a group for illegally practising medicine still would be doomed. They say it would be necessary to demonstrate that the group was performing medical acts that were the exclusive preserve of a licensed medical practitioner. In view of the imprecision in the statutory definition of "practice of medicine," officials doubt that there is any chance of making such a case.

Moreover, they say they have tried but never have been able to get a consensus among medical practitioners involving a definition that would control undesirable practices without infringing on individual freedoms. Thus, there have been no attempts to bring The Health Disciplines Act to bear on the alleged practice of medicine among movements within the study's ambit.

The Hypnosis Act

This statute probably is matched in its extraordinary brevity only by its extraordinary lack of enforceability. Section 2 of the statute says "no person shall hypnotize or attempt to hypnotize another person" and sets out classes of individuals -- doctors, dentists, psychologists -- who may be exempted.

However, there is no indication in the statute of what constitutes hypnosis because the term is not defined. To further limit chances of successful prosecution, the legislation

requires that action be commenced within one year from the date of the alleged offence.

In view of the lack of a definition for hypnosis, a ministry legal spokesman said anyone attempting to press charges under The Hypnosis Act, would have to present testimony from an expert, who had witnessed the alleged hypnosis. No such cases involving any of the movements have been taken to court.

At one point within the past few years, the Ontario Provincial Police were preparing a case they reportedly felt had some merit. A five-man panel of experts from the Ontario Society of Clinical Hypnosis had listened to a tape recording of a "meditation" cycle employed by a mind development group. The panel concluded that the leader actually was hypnotizing his students. Unfortunately the conduct giving rise to the investigation had occurred outside the one-year limitation period.

In any event, a ministry official said the case would have proved little. With only minor adjustments to the format, employed by the mind development group, a similar movement could continue using the technique and defy anyone who tried to prove it was hypnosis.

MINISTRY OF EDUCATION - COLLEGES AND UNIVERSITIES

Ministry of Education

While individual school boards and schools in Ontario

have had direct experience with some movements in this study, the Ministry of Education's own experience with the groups has been minimal. A few groups have attempted to introduce their lectures, programs, or materials into schools, particularly at the secondary level. The study also learned that, in at least one case and perhaps a few others, a teacher had sought on her own initiative to introduce her class to the techniques of a mind development group. However, these matters were handled at the local level by school boards or school administrations, which seem in all cases to have rejected the groups' efforts. None of these cases involved the Ministry directly or formally.

As far as the study could determine, the Ministry's involvement in these matters has been as a creator and interpreter of policy, which is considered appropriate in schools. The policies pertinent here were set out in letters the Ministry sent in 1977 and 1978 to an Ontario resident, who had urged the government department to "reject all behaviour modification techniques."

In its 1977 response, the Ministry said: "Behaviour modification methods that are manipulative (i.e.: do not respect the integrity of the individual) are not condoned." In a further communication in 1978, the Ministry acknowledged that all education was, in a sense, behaviour modification because education's goal is the improvement of human behaviour. However, it added: "In the narrow sense of manipulation of human minds, techniques have been invented during and since

the Second World War that infringe on the free will of the individual. This Ministry does not condone these techniques."

The Ontario resident who wrote to the Ministry also urged that the teaching of techniques of a specific meditation-based movement be prohibited in the schools. In 1977, the Ministry replied that the meditative technique "is not approved in the guidelines and courses." In 1978, it expanded and said:

The schools are open to all in our society. The great differences in religious beliefs among the people of Ontario mean that the public schools must be tolerant of most forms of religion and worship.

The practice of a particular denominational or sectarian form of worship cannot be carried on in a public school. (The identified meditative technique) is one such particular practice.

In 1971, the Ministry of Education introduced a curriculum guideline in World Religions for Grades 11 and 12. The guideline seemingly was based on recommendations issued in 1969 by the Committee on Religious Education in the Public Schools in the Province of Ontario under the chairmanship of the Honourable J. Keiller Mackay, a former Lieutenant-Governor of Ontario. The committee's report was entitled Religious Information and Moral Development.

In a description of its curriculum guideline, the Ministry has said it "prescribed courses that were informational and not comparative concerning the five major religions." Its records indicate that by 1974, about 7,000 students at 160 schools were in courses offered under the guidelines. By 1977, there were 4,000 at 140 schools.

Ministry of Colleges and Universities

While universities are not government institutions in a formal sense, the Ministry of Universities and Colleges is responsible for some aspects of university affairs. Therefore, it is appropriate to deal with the experiences of these institutions involving groups and the policies they have evolved to deal with pertinent issues.

As indicated earlier, a few groups are known to conduct active and organized recruitment campaigns on university campuses. Therefore, the study asked 18 Ontario universities for lists of all campus organizations, formally recognized for the purposes of offering services or programs for the student population. Thirteen universities responded and indicated that three groups -- all movements of international scope -- had sponsored 14 organizations at nine institutions. Most of these organizations were meditation societies.

The study was aware that students on at least two campuses had objected to the presence of a couple of the movements. However, none of the correspondence from universities reflected concern or alarm about having such groups operating at their institutions.

Most universities seemed to operate according to a policy much like that enunciated by the University of Toronto:

The Governing Council of the University of Toronto adopted guidelines on the recognition of campus groups in 1973 -- there have been technical amendments and additions since -- but the basic considerations have not changed.

First it should be noted that recognition does not imply endorsement by the University of a group's beliefs or philosophy. The basic concern of the University is the encouragement and protection of certain basic rights and freedoms, including the freedom to communicate and to discuss and explore all ideas, the freedom from discrimination on the basis of sex, race, or religion, the freedom to organize groups for any lawful purpose, the freedom to move about the University and to use its facilities in any reasonable way, and the freedom to hold meetings, to debate and to engage in peaceful demonstrations.

The University is committed to not monitoring or interfering with any group on the basis of its attitudes unless and until these lead to activities which impinge upon the kinds of freedoms outlined earlier.

Recognition must be reviewed annually. Groups may be suspended if their activities interfere with the basic freedoms of the University community, but a suspended group may apply for renewed recognition in the succeeding year.

MINISTRY OF CORRECTIONAL SERVICES

The Ministry of Correctional Services has not received any letters of complaint from the public concerning activities of the groups studied.

However, the Ministry has been approached by several groups offering to provide voluntary services within its correctional institutions. The applications came from four religious movements, a quasi-religious mystical group, two mind expansion groups, and two organizations affiliated with a new religion. One of the affiliated organizations works with prisoners serving sentences in institutions and on release. The other is a program designed to assist prisoners with drug problems. The latter disclaims any association with

its parent church although it admits that its program content is based on teachings of the church's "humanitarian" leader. It also uses materials prepared by the church for its self-awareness courses.

All community organizations offering voluntary services are carefully screened by the Ministry before they are allowed to work with inmates in institutions. Permission is granted only after thorough examination and after it has been established that the group's proposed program is needed and does not create problems of facilities, time, or staffing. None of the groups are funded by the government -- their work must be entirely voluntary. Only one of the groups mentioned above met the Ministry's criteria. Therefore eight could not be invited to work in the correctional institutions. In addition, it was known to the Ministry that some groups volunteering services and programs normally charged fees or required "donations." The Ministry did not believe that inmates should become involved with a program that they could not afford to continue on release. Only one new religion, the Foundation Faith, has been permitted to work with inmates. The Foundation Faith volunteers conducted discussion groups on topics of interest and use to the prisoners, such as attitudes, life skills and relations with other people. It should be noted that the Foundation Faith has never sought or received funds from the Ministry.

In recognition of their helpful service to the correctional institutions, the Foundation Faith was given a

community service award in 1977 by the Minister of Correctional Services.

In 1973 Ananda Marga gave a yoga course for the Ministry of Correctional Services. However, there was no funding available from the government, and the course was discontinued shortly thereafter.

For more than a year until the end of 1979, no new religions or mind development groups had approached the Ministry of Correctional Services to offer voluntary services and programs.

ONTARIO HUMAN RIGHTS COMMISSION

The commission, a branch of the Ministry of Labour, administers and enforces the Ontario Human Rights Code under which its main functions include:

- . investigation of complaints regarding discrimination in employment, housing and public services and facilities because of race, creed, colour, nationality, ancestry, place of origin, age, sex and marital status;
- . investigation and mediation services;
- . public education about the provisions and principles of the code;
- . research into patterns of discrimination.

The Ontario Human Rights Commission has received few complaints about the activities of mind development groups, cults, new religions, and sects. However, it has received a few informal complaints, including the following:

Case No. 1: The complainant registered his objection to literature being distributed by one of the groups in Toronto. The literature was in his view anti-semitic and offensive.

Case No. 2: An Ontario resident contacted the commission complaining that a Toronto-based religious group harassed non-members working in their candle factory, urging them to convert. One employee of the factory was fired because he refused to convert.

The commission said it had received no complaints from members of groups under study about not being hired or dismissed from jobs because of their religion or beliefs.

MINISTRY OF COMMUNITY AND SOCIAL SERVICES

The Ministry of Community and Social Services provides programs and services for children, adults, the handicapped, mentally retarded, and those requiring financial assistance. The Ministry received no complaints from the public that fell within its jurisdiction about groups under study.

However, the study reviewed correspondence in the Ministry's Senior Citizens' Branch about an allegedly misleading use by a movement of the title "Ministry of Social Reform." Under that title, the group wrote to nursing homes and residents

of senior citizens' homes attempting to obtain information. The name "Ministry of Social Reform" reportedly caused confusion and aroused concern among some agencies and individuals, who received correspondence under this letterhead. In particular, several homes for the aged operating under the jurisdiction of the government Ministry, said the letterhead "Ministry of Social Reform" created the impression that the questionnaires came from the Ministry of Community and Social Services.

MINISTRY OF THE SOLICITOR GENERAL AND MINISTRY OF THE ATTORNEY GENERAL

In view of their responsibilities for law enforcement and the administration of justice respectively, the Ministries of the Solicitor General and the Attorney General have had substantial experience with cults, sects, mind development groups, new religions and deprogramming.

However, it would be redundant at this point to describe those experiences in any detail. The Ministries are respectively responsible for the administration of the police and judicial systems in Ontario. The involvements of the police, and other officers of the Crown constitute almost the full extent of the Ministries' involvements, which already have been discussed in this report.

There was perhaps one investigation carried out by the Ministry of the Attorney General to which no allusion has yet been made. In 1978, the Official Guardian of this Ministry, in co-operation with the Children's Aid Society, investigated allegations of child neglect against a communal

religious group near Toronto. Grandparents and other relatives were concerned that the children, whose mother was a member of the commune, were not receiving adequate care. The investigators concluded that there was no cause for official action. This was the only formal complaint regarding groups under study that had come to the Official Guardian's attention.

Additionally, these Ministries have received hundreds of letters, petitions, and complaints about or from the movements. Resulting police investigations and other inquiries were covered elsewhere in this report.

MINISTRY OF HOUSING

A member of a new religious group in Toronto complained to the Ministry of Housing that the Ontario Housing Corporation was discriminating against his church. He was stopped by Ontario Housing Corporation staff from providing a bus service for senior citizens in one of the public housing units. He was also told that soliciting was not allowed in the building. Members of the group started canvassing in the housing unit and used the bus service to propagate their faith and beliefs, according to a Ministry official. Local businessmen said they were approached by the church members for money to support the bus service and for donations for the poor people in the housing project. The senior citizens, residing in the housing project, are not considered poor or in need of financial support. The Ministry sent a notice to all government-supported housing projects alerting them of such activities.

CHAPTER 8

PUBLIC COMMENTS AND RECOMMENDATIONS

Recommendations submitted by the public to the study were divided into 12 categories. The count of the recommendations was based solely on the number of times groups or persons supported a particular recommendation. Occasionally, a particular opinion would apply to another category and overlap. The categories are organized to provide a framework for easy discussion of government involvement in the area of cults, sects, new religions, and mind awareness groups.

The recommendations were gathered from 108 interviews held with ex-group members, their families and friends, concerned citizens, and experts in the fields of religion, education, health, and social services. As well, 45 interviews were held with members of groups. In a letter survey, information and submissions were requested from groups, experts and organizations in the field of social services, health, and education.

Four specific questions were posed to established religious groups, seminaries, and scholars for consideration. They were:

- 1) To what extent if at all, should the state attempt to regulate the practices of religious cults and sects in order to protect individuals and/or the general public?
- 2) If you feel state action is legitimate, can you identify

any practices of religious sects or cults that warranted intervention where the state has not intervened to date?

- 3) What kind of action would be appropriate and how would you avoid or at least minimize the risk it might pose for freedom of religion?
- 4) Insofar as you foresee your proposal unavoidably conflicting with or infringing upon freedom of religion or other commonly accepted rights, how would you justify your position?

Questions posed during interviews with active group members included:

- 1) Why and under what conditions should government intrude into this matter?
- 2) If you feel government intervention is legitimate what do you think it should do?

Ex-group members and their families, concerned citizens and others participating in interviews were asked:

- 1) Why and under what conditions should a government intrude into this matter?
- 2) If you feel government action is legitimate, can you identify any practices of sects, cults, groups, or deprogrammers that warrant intervention?
- 3) If a government acts in this area how, specifically does it avoid endangering traditional freedom of belief and religion?
- 4) What action can government take to curb what you

consider to be objectionable practices by the groups in question?

- a) new legislation
- b) improved enforcement of existing laws
- c) public education
- d) prohibition of access to public institutions
- e) other.

It should be noted that not all questions received answers during interviews or from the letter survey. In some interviews, ex-group members had not seriously considered possible government action in this area. Often interviewees were unfamiliar with existing controls and thus did not comment. In the letter survey, many organizations and individuals did not reply.

The recommendations made to the study fall into the following categories:

- A) No additional legislative action or further government intervention.
- B) The continued use and enforcement of existing legislation.
- C) Public information agency.
- D) Public education programs.
- E) Establish a council, or panel of (religious) peers.
- F) Royal commission or public inquiry.
- G) Amendments to existing legislation.
- H) New legislation to provide for financial accountability.
- I) New legislation to provide for the protection of minors.
- J) New legislation to provide for the regulation of solicitation and proselytizing.

- K) New legislation to provide for the overall regulation and supervision of credentials, practices, and techniques.
- L) Other recommendations.

Each recommendation is discussed separately. In the discussion, sources of recommendations follow this order:

- 1) Universities and scholars, including schools of theology and seminaries and departments of psychiatry, sociology and anthropology.
 - 2) Traditional religions and religious leaders -- including Protestant, Catholic, and Jewish groups.
 - 3) Health sector, including psychiatric hospitals, community public health services, health associations, and doctors.
 - 4) Education sector, including Ontario boards of education, Ontario separate school boards, and professional associations.
 - 5) Community and social service sector, including Children's Aid Societies, community service agencies, social planning councils, United Way agencies, and family service agencies.
 - 6) Ex-group members, families, and friends.
 - 7) Concerned citizens.
 - 8) Active group members.
 - 9) Government and private experts*, including newspaper religion editor, journalist, deprogrammer, police experts, MPPs, Council on Mind Abuse, Canadian Civil Liberties Association, and British Columbia Civil Liberties Association.
- *Experts possess a special knowledge in the area of the study and may not necessarily take a neutral stand.
- 10) United States sources, including scholars and other professionals, American Civil Liberties Union, Attorneys General, and other community agencies.

This section of the report provides a descriptive account of the public recommendations and outlines the positions and arguments of informants. No attempt was made to provide an analysis of the issues brought up during the discussion of each recommendation. However, members of the study clarified arguments which were not clearly delineated. In some cases, recommendations were not clearly defined presumably because of a lack of knowledge or information of the persons and organizations. Under these circumstances, a value judgment was made to aid in the classification of recommendations and an accompanying explanation can be found. Material has been quoted verbatim extensively wherever possible throughout the report to preserve positions made in submissions and prevent misinterpretation.

There were a total 300 individual recommendations from 165 Canadian sources. Some organizations and individuals made more than one recommendation. Results of responses are found in Tables 21, 21a, and 21b. The frequency of recommendation is indicated in Table 20.

It can be seen in Table 21a that many respondents preferred the five recommendations for non-legislative action. This category accounts for 48.3 per cent of the recommendations, as compared with 40.7 per cent for remedial legislative solutions. This particular pattern is repeated by a number of groups and organizations. Of those traditional

religious groups which responded to the study, 22 were almost evenly split between the recommendation for no government intervention and the recommendation for enforcement and use of existing legislation. Another six recommendations fell into the non-legislative category, while the remaining 14 were spread throughout various legislative remedies.

Table 20 DISTRIBUTION OF PUBLIC RECOMMENDATIONS BY TYPE

Type of recommendation	Number of Recommendations	Percentage
public education programs	59	19.7
government regulation of group practices, credentials and techniques	49	16.3
enforcement of existing legislation	34	11.3
financial accountability	28	9.3
no action or government intervention	28	9.3
other	20	6.7
regulation of solicitation and proselytizing	18	6.0
protection of minors	15	5.0
establishment of a panel of peers	13	4.3
Royal Commission or public inquiry	13	4.3
amend existing legislation	12	4.0
public information agency	11	3.7
TOTAL	300	100%

Similarly in the Education and Social Service sector many of the recommendations called for little or no legislative action. About half of the recommendations made by ex-members and families continued in this pattern, and many stressed the importance of public education programs. At the same time, recommendations for the use and enforcement of existing legislation received support from 13 ex-members and families. The same number also felt there was need of improved financial accountability. But 16 urged the regulation of group practices and techniques. There were also six recommendations by former members and their families for a Royal Commission or Public Inquiry, just under half of all the recommendations in this category.

The Social Service sector was fairly evenly split between legislative and non-legislative categories. On 10 occasions active members requested that no government action take place. On five occasions, it was recommended that existing legislation be enforced. There was also a significant amount of support for public education programs and the establishment of a panel of peers. However, active members put forth the majority of recommendations for the panel. Some support also came from this group for legislative controls to protect minors, provide for financial accountability, and to regulate techniques and practices used by groups.

Table 21 SUMMARY OF PUBLIC RECOMMENDATIONS						
Sources	Number of Respondents	Non-legislative action	Legislative action	Royal Commission or Public Inquiry	Other**	Total Number of Recommendations
Universities & Scholars	7	5	6	-	-	11
Traditional Religions	22	28	14	-	4	46
Health Sector	17	8	13	-	-	21
Education Sector	5	7	5	-	1	13
Social Service Sector	5	6	5	1	-	12
Ex-Members, Families & Friends	51	45	44	6	8	103
Active Members	36	32	11	2	2	47
Concerned Citizens	8	4	7	1	-	12
*Government & Private Experts	14	10	17	3	5	35
TOTAL	165	145	122	13	20	300
%		48.3	40.7	4.3	6.7	100%

*Experts possess special knowledge in the area of the study

**This category includes recommendations for establishment of conservatorships, access to public institutions, providing a 'cooling off' period etc.

Table 21a BREAKDOWN OF NON-LEGISLATIVE TYPE OF RECOMMENDATIONS						
Sources	Non-Legislative Action					SUB-TOTAL
	No additional action or further government intervention	Use and enforcement of existing legislation	Public Information Agency	Public Education Programs	Establishment of a panel of peers	
Universities & Scholars	2	1	1	1	-	5
Traditional Religions	12	10	-	5	1	28
Health Sector	-	1	-	7	-	8
Education Sector	-	-	2	4	1	7
Social Service Sector	-	1	-	5	-	6
Ex-Members, Families & Friends	1	13	5	24	2	45
Active Members	10	5	1	8	8	32
Concerned Citizens	-	-	1	2	1	4
*Government & Private Experts	3	3	1	3	-	10
SUB-TOTAL	28	34	11	59	13	145
%	9.3	11.3	3.7	19.7	4.3	48.3

*Experts possess special knowledge in the area of the study

Table 21b BREAKDOWN OF LEGISLATIVE TYPE OF RECOMMENDATIONS

Sources	Legislative Action to Provide For					SUB-TOTAL
	Amendment to Existing Legislation	Financial Accountability	Protection of Minors	Regulation of Solicitation and Proselytizing	Overall Regulation of Credentials Practices & Techniques	
Universities & Scholars	-	1	2	3	-	6
Traditional Religions	1	3	3	3	4	14
Health Sector	1	-	-	-	12	13
Education Sector	1	-	2	-	2	5
Social Service Sector	-	2	-	2	1	5
Ex-Members, Families & Friends	6	13	3	6	16	44
Active Members	-	3	2	-	6	11
Concerned Citizens	3	-	2	-	2	7
*Government & Private Experts	-	6	1	4	6	17
SUB-TOTAL	12	28	15	18	49	122
%	4.0	9.3	5.0	6.0	16.3	40.7

*Experts possess special knowledge in the area of the study

NO ADDITIONAL LEGISLATIVE ACTION
OR FURTHER GOVERNMENT INTERVENTION

The 28 recommendations for no additional legislative action or no further government intervention fall into two sections. Many persons and organizations were concerned about the possibility of the government attempting to place further controls on religious or quasi-religious institutions. Responses for the most part either strongly opposed any form of government intervention, including the introduction of new legislation, or tended to be wary of whether the government had a role to play. They often left the door open to alternatives other than the introduction of new legislation specifically directed at cults, sects, new religions, and mind development groups.

The latter position sometimes overlapped with the recommendation for enforcement of existing legislation, which occasionally was suggested as a feasible alternative. In these cases, it was felt that enough public protection against possible misconduct by new groups was provided by existing legislation and that religious institutions should not be treated differently from other persons or groups in society. Many argued that religious liberties and the freedom of individual worship were threatened by government intervention, posing the potential danger of religious persecution in the interpretation and application of new legislation.

Universities and Scholars

A professor of sociology at the University of Manitoba made a strongly-worded statement in opposition to government involvement.

I do not think the government should attempt to regulate sects and cults at all. The definition of what is a cult, and what is a group which needs regulation is very relative, and could become a witch hunt. Political motives could too easily interfere with religious freedom. For example, the restriction of Hutterites to acquire land in Alberta is already going too far.

...Presumably you will get a lot of suggestions. When these come in, how do you decide on what basis intervention is legitimate? Depending on the persons or committee which decide, some could be interfered with, and others go free. Once the government gets into this, freedoms will be restricted, and it sets up for political pressures, and potential autocracy. Hitler's gang would have loved such potential for intervention. You never know who will exploit it negatively. And I don't see how you can establish a basis for legitimate discernment. This is no place for the law.

I would not agree to any action, unless it goes to the extremes of Jonesville. But that kind of behavior is very rare. It is better to risk such a fiasco every 50 years, than have the government intervene and do things which accumulatively would be much, much worse. Minimize the risk by keeping governmental hands off. Remember, this is why many religious and ethnic minorities came to North America in the first place.

There is no justification for intervention. There is absolutely no justification for intervention. You can't set up political criteria to judge religious values. Remember that the dominant groups are the Roman Catholics (about 50 per cent), United Church, Anglican, and Presbyterian. These four groups are the majority in Canada; they are highly of British and French origin (charter groups). They are also the ones who dominate the political and economic power. If the Catholics in Quebec, and the WASPS in the rest of Canada begin increasingly to intervene, this could easily develop into tampering with religious freedom. It must not happen.

A scholar and professor at Emmanuel College,

University of Toronto, reported on the discussion and recommendations made by the college's faculty committee:

In our discussion, our faculty members expressed themselves as greatly concerned with the whole matter of freedom of religious expression and hoped that it would be safeguarded in all attempts to deal with the matters of concern in your inquiry. It was thought that no special laws needed to be passed to regulate the practices of religious cults and sects in order to protect individuals and/or the general public.

Traditional Religious Groups

Seven of the 12 established churches advocated minimal government intrusion in this area, opposing specific controls applied to religious organizations but approving when necessary the use of existing legislation.

The Mennonite Brethren's position on state regulation of religious groups was:

The state should not at all be in the business of regulating religious thought or belief and should regulate religious practices only in those situations where a panel of neutral and knowledgeable citizens would agree that the particular practice in question, be it infanticide, destruction of part of the brain, etc. would result or would be likely to result, in irreparable harm to one or more people. Also, existing legislation already regulates certain activities, e.g. use of loudspeakers in public places or late at night, and should be retained provided it is enforced according to the time-honoured principles of natural justice. The premise for this position is a recognition of the inviolability of the human right to choose beliefs without constraint and to indulge in religious and political endeavours with the least possible degree of regulation keeping in mind the necessity of balancing individual rights with group rights and those of minors. The religious freedoms which we know in the Western World have developed because of these assumptions. To change this direction now would be disastrous both for religious groups and society as a whole. We should not deny people the opportunity to make a wrong choice according to our perspective.

...There is minimal risk in using the Criminal Code for purposes of intervening against unacceptable social behaviour. However, at no time should restrictive legislation be directed solely against 'religious' individuals. If something is wrong when done in the name of religion, it is equally wrong when done for any other reason.

The Ontario Conference of Catholic Bishops took a similar position:

In regard to your main question: To what extent, if at all, should the state attempt to regulate the practices of religious cults and sects in order to protect individuals and/or the general public?, we believe that the present law is sufficient to protect 'the general public.' In other words, 'society has the right to defend itself against possible abuses committed on pretext of freedom of religion. It is the special duty of government to provide this protection. However, government is not to act in arbitrary fashion or in an unfair spirit of partisanship. Its action is to be controlled by juridical norms which are in conformity with the objective moral order.' (Vatican II, Declaration on Religious Freedom. No. 7).

While the Church can readily recognize that some mind development groups, sects, and cults may have caused real or apparent damage to family life and have been responsible for some personal tragedies, and while it feels deeply for those people victimized by the activities of some pseudo-religious cults, still it also believes that any legislation to correct such abuses tends to undermine freedom and human rights and therefore must be avoided.

The Most Rev. Edward W. Scott, Primate of the Anglican Church of Canada, reported his church's position on this matter was as follows:

Generally speaking, we are opposed to any special laws designed to regulate the practices of religious cults or sects in order to protect individuals and/or the general public. Laws designed to set limits on a wide range of activities in order to protect individuals and/or the general public should be utilized rather than devising special laws. We take this position because of the extreme difficulty

of definition in the realm of 'mind development,' of what is creative and what is harmful, and because 'mind development' is a far broader process than can be limited to special groups, sects or cults. It could well be argued that educational activities, radio, television, mass media advertising and lottery promotions all play a part in 'mind development,' or brain washing.

Perhaps in brief summary we would suggest:

The least amount of regulating law the better.

Freedom always involves some elements of danger, but its positive contribution should not be destroyed by trying to eliminate all danger.

The views of the Pentecostal Assemblies of Canada followed in the same vein as the previous religious organizations.

It seems to us that this study presumes that the causes and effects of the mind-bending activities can be resolved by acts of legislative assembly, or by a directive of some bureaucratic agency, appointed in some administrative section of some ministry in the provincial government.

An official of the United Church of Canada who responded in his own name on behalf of the church quoted from the Bible:

Leave them (the apostles) alone, he advised: If their movement is of their own devising, it will come to nothing. If it be of God there is nothing we can do about it that will stop them. (A rough paraphrase of Acts 5:38-39)

So, regulations, if regulations there must be, must be at an absolute minimum.

...The temptation to yield to the dictates of privileged groups or lobbies should be avoided.

...If the 'mainline' religious groups are free to work towards conversions; and such conversions, or turning towards God with a sense of full moral responsibility for one's life in

society with social accountability towards nature and society, are to be realized in an atmosphere of free choice, then the same conditions must apply for all.

...To clarify the point for his disciples on one occasion, Jesus told the parable of the wheat and the tares. Should one attempt to pull out the tares? In so doing, you may destroy some genuine wheat. Jesus advises to leave them alone, and in the end their works will come to light.

What I would, therefore, strongly urge is that there should be no ground yielded to the so-called anti-cult activities, or to elitist lobbies.

He added:

At one time a disreputable group may become respectable and legitimatized; or the reverse may occur by which an accepted group degenerates.

...At the start of Jimmy Jones' movement, it was perfectly legitimate; his ministry was recognized by a major Christian denomination. As the pressures of interplay between majority and minority groups evolved, however, powerful forces overwhelmed Jones and his movement.

It appears that no amount of legislation could have foreseen or forestalled this tragic development.

...The problems of human life and inter-personal relationships such as these, cannot be solved by legislation...

...We believe:

That every adult has the right to determine his or her faith and creed according to conscience.

The right to privacy to believe and to express one's religious beliefs in worship, teaching and practice and to proclaim the implications of one's beliefs for relationships in a social or political community.

The right to associate with others for religious purposes.

The right of organizing implies the right to make converts (sometimes called proselytizing),

to form congregations, publish literature and promote its circulation, and have access to the media.

These rights should be limited to the breaches of the Criminal and Civil Law of Canada.

If this study proposes the appointment by the government of some senior ombudsman to monitor the mind-bending groups, who is going to certify his almost omniscient tasks and decisions? The question has often been asked in jest: 'Who is going to psychoanalyze the psychiatrist?'

If such an agency is created and a person appointed with other associates, will the criteria for judgment be based on the normal members of society or abnormal individuals who are found in the mind-developing cults?

...The dangers posed by new regulations in uncharted areas are serious. We cannot know how a new 'regulation,' whether statutory or by departmental decree, will be interpreted some years later by another court or administrative agency, with persons in charge who have a different set of values and criteria, possibly operating in a totally changed social milieu.

The stand taken by the Watchtower Bible and Tract Society (Jehovah's Witnesses) was quoted from submissions to the study as well as an interview with an officer of their Canadian headquarters and legal counsel to the society. The submission stated:

We believe that it would be a very difficult thing, quite likely not possible at all, for the state to attempt to regulate the practices of religious groups (though trying sincerely to protect individuals and/or the general public) without, at the same time, seriously infringing upon the guarantee of free exercise of worship in the Province of Ontario. It is a proposal of mixed emotions. On the one hand, one would like to see individuals in the general public protected, but if that would result in harm done to the religious liberties of individuals, of what lasting and true value would that be?

Does that mean that we have a calloused point of view as to the harm that may be done to some individuals by 'unorthodox' groups who resort to force and pressure? Not at all.

...The area of religious thought, liberty, and activity is within the range of the right of the individual. In this field, what is one man's meat is another's poison, so it would be an exercise in futility for officials to try to decide what is right and wrong and/or beneficial to the individual or the public from the standpoint of religious beliefs. That you must leave to the individual.

For a strictly legal point of view, we would like to quote W. Glen How in our letter. Speaking from the background of his experience in many civil liberty cases in this country, he says: 'Having fought for religious liberties for the past thirty-five years in this country and others, I frankly feel that this entire enquiry is walking on very dangerous ground that can cause untold damage. Those who want to interfere with the religious liberty of others usually have their own axe to grind. You have heard the old saying, 'orthodoxy is my doxy and heterodoxy is your doxy.' These days, the expressions about 'sect,' 'cult' and 'mind-bending' are simply pejorative expressions to designate a belief or theory that the speaker disagrees with and wishes to downgrade in the minds of his listeners.'

As you have seen, in answering your first question we have also touched upon questions two and three and possibly question four. That is, we have covered them by indicating that we do not feel state action is legitimate in these cases. Considering religious history and the injustices practised by prominent members of many religions of the past (including some of the Protestant reformers such as Calvin), in a situation like this, 'who would cast the first stone?' We find it very difficult to see how one could avoid or at least minimize the risk that would be posed for freedom of religion.

In an interview the official was quoted as saying:

With great respect it's not that great a conundrum. You just have to let the outworking of time...you cannot control every situation and every problem in life. Neither can the government. So therefore you have to draw lines. If a person for example gets

an idea that standing in water for 36 hours is going to do him some good, it might be a nutty idea. And by the time he's been in the hospital a couple of times he'd get over it. Sometimes you have to let people do foolish things -- it's part of learning.

...You can't pass a law that will be an instant solution to every problem, because if you do, it will give such extensive powers that you're going to find all kinds of abuses. You balanced men can't guarantee what kind of a nut is going to get control of that law 20 years later, can you?

In a letter from the Lutheran Church, an official stated:

The Church and the State are two different institutions. Each must be free to do its essential task; neither one should seek dominance over the other. While institutionally separate they may functionally interact.

There are religious institutions other than the Church. We are living in a pluralistic society. A function of the state is to maintain the maximum amount of religious liberty for the total citizenry. At no time is it the responsibility of the state to define religion. The state must maintain a wholesome neutrality towards matters of religion. The maintenance of religious diversity requires a general public recognition, not that all religions are equally valid, but that all enjoy equal status before the law.

...Recently, Dr. William Lazareth, the Director of the Department of Church and Society in the Lutheran Church in America, said about this subject:

'The sensitive, non-Christian citizen is justifiably offended by some of the bizarre and immoral activities that go unchallenged by the state under the protective umbrella of 'religion.' As Christians we have to be very realistic about this. In the first century, Christians would have been dismissed as Moonies, by both the religious establishment of Israel and the secular state of Rome. Therefore, I am cautious about limiting civil rights of fellow religionists whom I happen to believe are completely wrong, theologically and ethically.'

Our Lutheran position on this matter is: let the state be excused from defining what is good or

bad religion; let it refrain from restricting any form of ritual or doctrine so long as present laws are not broken.

The Seventh-day Adventist Church did not advocate legislative action either. Its submission said:

Seventh-day Adventists are passionate believers in the freedom of conscience and the widest possible separation of Church and State. We believe that the State should not interfere in the affairs of the Church, nor should the Church try to impose its views upon the State so that the State becomes the secular extension or the arm of the Church.

If there has to be a choice between two risky alternatives, legislation or no legislation, then I believe it is safer in the long run to err on the side of conscience.

We think it is well to bear in mind that fifty to a hundred, or a hundred and fifty years ago, Methodists, Salvation Army members, Baptists, Seventh-day Adventists, and others were considered dangerous and a menace to the well-being of the community. Parents whose children or relatives left the family's long established religious faith caused great anxiety and concern to the extent that the use of force to prevent people leaving their traditional churches to join some relatively new religious organization was considered as perfectly justifiable and indeed, necessary!

Perhaps the 'Moonies,' 'Hare Krishna,' and Scientologists of today will become as well known and accepted as the Methodists, Baptists, and Salvation Army adherents of today.

As a relatively small, conservative, protestant, Christian denomination, a little over a hundred years old, we know how public attitudes can change. We also know that State regulation can cause suffering to innocent people who desire nothing more than to follow the dictates of their own conscience in religious matters. In the early 1900s Seventh-day Adventists were placed in prison for working on Sunday in Ontario.

Strong opposition towards the introduction of new legislation was made by the Fellowship of Evangelical Baptist Churches in Canada. It said:

To begin with, we are certainly very deeply concerned about the dangers inherent in the processes of mind-manipulation, with reference to its current 'religious' expressions.

1. Who will satisfactorily define the perimeters of the terms 'cult' and 'sect'?
2. What if those terms should be applied to ourselves (as is already done by some) in application of future possible law?
3. Non-physical persuasion is already a widely experienced thing in our society. We ourselves practise it, in our evangelism and in our teaching, commonly with all evangelical churches. Politicians practise it, as the current election campaigns surely illustrate. Authorities in government practise it, as conditions within education from K-College abundantly indicate, to name but a single area. And parents practise it in the ordinary processes of raising their children.

Thus, legislation against what the Attorney General suitably calls 'mind development techniques' [sic] may very well be unfairly applied to 'target' groups, while failing of fair application to others. An example: as a tax-payer, why should an evangelical Christian find himself obliged to purchase, via the levy of school taxes (right and fair in itself), a pedagogical product counter-productive to the religious and moral aims of the home for which, under both God and law, he is responsible? Nevertheless he is sold, in the educatory processes, the hypothesis of biological evolution, and the 'valuing' programs of men like Simon and Kohlberg. Laws governing non-physical coercion would, we think, require a fair application to all forms of 'inner' persuasion, including those now used by government itself. The damages incurred, demonstrably, in educational 'mind development techniques' are as real as those created by cultism. Indeed, we have reason to think that the one can be productive of the other.

4. The 'regulations' envisaged amount to the protection by law of the individual from himself. Surely, where ideological choices are involved,

one has the right to commit himself to whatever religious or philosophical school he desires. That is in fact a feature of Baptist profession we ourselves certainly cannot ignore.

First, and for the reasons just expressed, we seriously question the sort of legislation under discussion, even in principle. The request that we identify religious cults or sects to which such legislation would apply is therefore beside the point.

We do not believe the risk to 'legitimate' religious freedoms can truly be minimal. Unfortunately for political office, its effect has always reflected the moral predilections of its people. There are not wanting, even at the moment, those whose interests will be secured in any form of legislation calculated to achieve control over religious freedoms.

From our perspective, then, the answer is this: you simply can't minimize the risk of legalized persecution; you can't guarantee, we think, the constitutional safety of those whose present freedoms might otherwise be placed in jeopardy. Differently put, the legislation heavily depends, in such a case particularly, on the guaranteed neutrality of those entrusted with it.

At the yearly meeting of the Religious Society of Friends (Quakers) on March 5, 1979, the following resolution was passed:

While we recognize that some of these organizations have been damaging, we believe it is a highly inappropriate matter for government legislation. Such legislation would merely push such groups underground, and it would be very repressive to other groups.

In an accompanying letter, the Society told the study:

As you may know, the Religious Society of Friends was, for many years, subjected to considerable persecution and restricting legislation. Consequently, we are very concerned about legislation against beliefs, however erroneous they may seem. Further, we feel that such legislation deals with symptoms rather than the roots of the problems being addressed.

Similarly, the Baptist Convention of Ontario and Quebec made a concerned response to the study:

The Committee wishes to emphasize in the clearest possible terms, that the regulation by the state of the practices of 'religious cults and sects in order to protect individuals and/or the general public' would be a potentially dangerous thing, and contrary to the principles of religious liberty for which Baptists have stood throughout their history, and which are implicit in our society in Ontario.

It is a matter of some pride amongst Baptists that the first document on religious liberty in the English language was written by an English Baptist pastor, Thomas Helwys, in 1611. Resistance to the state's involvement in spiritual affairs has been a hallmark of Baptist belief for the past three hundred years.

To call into question the right of certain groups in our society to exist, or even to give the appearance of calling that right into question, would, in our view, be a most unwelcome move on the part of the Provincial Government.

The Greek Orthodox Church was also opposed to any type of government intervention, as is outlined below:

The Greek Orthodox Church, under the care of the Holy Spirit and guided by Holy Scriptures, Holy Tradition, the Canons and Church Fathers, condemns all occult and cult practices as heretical, anti-theetical to Christ's commandments and contrary to Church teachings.

Nevertheless, the Greek Orthodox Church does not challenge the legitimate right of any other religious group to exist nor does it advocate active governmental or any other type of interference in religious cults. The Church upholds the constitutional principle of separation of Church and State and gives pre-eminence to religious liberty. Thus, the Greek Orthodox Church does not defy the existence of other religious institutions (including cults) but instead condemns the cults of false religions and considers these would-be messiahs, false prophets and preachers.

Ex-Group Members and Families

There was only one ex-cult member in this category who felt that the government should not take any specific action against cults and sects. She said:

We live in a society which gives us the freedom to be involved in whatever we care to be involved in. Coming from Europe, this is amazing to me. This is the only country on this earth where one can be so free of politics.

She also was concerned about the government's ability to regulate something as personal as beliefs.

Active Group Members

Ten group members recommended that the government should not become involved in the regulation of mind development groups, sects, new religions, and cults.

Three recommendations came from members of the Divine Light Mission, two each from People Searching Inside and Unification Church, and one each from the Church of Scientology, Transcendental Meditation and IAM.

One recommendation encouraged the use of existing laws but protested the introduction of new legislation:

I think the government does have a role, but I think that grounds for any action they might take are already there, i.e. the laws of the land. Where those laws are broken, it doesn't matter to me whether it's a Scientologist or a Catholic or a Jew or whatever, I think sure, religion cannot make you immune to the laws of the land.

But if any one of them breaks the criminal law, sure, of course. So I think the grounds are already there, and I don't think there should be any new ones brought in to handle 'new religions.'

Government and Private Experts

Four police experts with vast experience in this area were interviewed by the study. One officer said the government should not have any powers to investigate or define religions, explaining that there was sufficient legislation to deal with these organizations. He added that an increase in police man-hours was needed, not new legislation.

The formal position taken by the Canadian Civil Liberties Association (CCLA) is against the introduction of new controls. Its brief stated:

In the opinion of the Canadian Civil Liberties Association, the central issue to which your study should address itself is the effective freedom of adult persons to make their own choices with respect to their associations and affiliations. Such choices must not be the subject of coercion by the state, by any of the target groups, by concerned parents, or by anyone else. People must generally be free to enter, maintain, and sever their associations and affiliations. For these purposes, it matters little whether their choices are wise, unwise, sensible, or foolish. Moreover, the centrality of this freedom will grow, not recede, as the matters at issue impinge upon the human mind and psyche. These considerations create a presumptive skepticism about the wisdom of enacting new legal controls and regulations addressed to the conduct of cults, sects, and mind development groups. Such legislation could precipitate a situation of government intrusion into some of the most personal decisions which people can make. Even if there were an overwhelming consensus that some of the target groups were involved in unquestionably coercive practices, there would still be a basis for apprehension about a legislative solution.

However in the event that new laws are passed, the CCLA urges caution and discretion:

In the absence of overt physical restraint which is already unlawful, how does one define coercion? How would a law distinguish improper 'brain washing'

from permissible persuasion? Deceit? Tricks? How many politicians use questionable techniques in their efforts to persuade people to vote for them? Indeed, how many traditional religious leaders and missionaries might similarly be guilty of unwarranted hyperbole or exaggeration?

Any new laws, of course, would have to be expressed in words which are sufficient to identify the evil to be corrected but not so broad as to catch within its net any other beliefs and practices.

But the CCLA's position does not presume that groups should be immune from existing law and suggests that in many cases current legislation could be used to deal with questionable practices alleged against any particular group:

Moreover, the current law might be employed to deal with a good number of the allegations which have been made against the groups in question. The use of physical coercion, for example, involves many violations of the Criminal Code. In some contexts, even the use of deceit is punishable. While the law does not now address a deceitful promise of paradise, it does prohibit certain deceitful acquisitions of property. To the extent that under-age minors are involved, parents already have a number of discernible remedies. Even where parents might be unavailable there are child protection laws and special agencies to enforce them.

Apart from criminal and quasi criminal law, there are also a number of possible civil remedies which injured parties might employ against the groups in question. Contracts can be invalidated for the failure to disclose all relevant facts. There is even a growing body of tort law which will recognize a right to recover damages for wilful assaults on the psyche.

The association, however, might alter its position were it demonstrated that certain practices represented "an overriding threat to the fundamental freedoms at issue." Under these circumstances:

...The goal should be to adopt the least intrusive measures first....Consideration might be given to various public educational programs, a possible requirement for fuller disclosure where fund raising is involved, and perhaps even additional fact-finding devices so that the existing substantive law could be more effectively enforced.

The British Columbia Civil Liberties Association supported a position similar to that of the CCLA. It was felt that a thorough factual investigation into the practices of groups must precede any attempt to interfere on the part of the state. Their brief continued:

Before any new legislation is justified, it must be demonstrated that existing legislation is inadequate to control the harm in question. For example, we must ask whether any purpose is served by specific legislation prohibiting forcible deprogramming (or programming) against one's will when there is already legislation against kidnapping and assault. Or if existing legislation protecting minors from corruption and exploitation really needs to be supplemented. Or if present consumer protection laws do not sufficiently protect the public from unscrupulous or sharp business practices. I do not know what, or how effective, the law is in these areas. The point I want to make is this: new legislation will be justified only if it can be demonstrated that existing legislation, fully enforced, still leaves a residue of substantial harm. We should not multiply laws beyond necessity.

USE AND ENFORCEMENT OF EXISTING LEGISLATION

The recommendation for use and enforcement of existing legislation was supported by 34 persons and groups. Arguments in favour of this recommendation showed the problem of inadequate enforcement of the present Criminal Code and other existing legislation. Repeatedly, we were cautioned regarding dangers posed to the freedom of worship and the

individual by involving the state in church matters. However, it was also conceded that the church was subject to the "laws of the land." These present laws should be used to account for any questionable practices of groups.

Universities and Scholars

A professor in the religious studies department at the University of Calgary expressed concern over regulating certain groups:

I do not see how we, who profess that we believe in religious freedom can ask for state regulation of the practices of religious cults and sects; at least not any more regulation than that to which the mainline religious groups are subjected. In my understanding of liberties in our society, there may be times when liberties do indeed clash. It seems to me, however, that the existing system of laws and courts is designed to deal with such clashes. What I am suggesting here is that at times religious freedom may come into conflict with other rights. But where this happens we do have a system of laws and courts to sort things out. To this extent only should state regulation come into play. This places all religious groups, whether traditional, old, or new on the same footing. To suggest that in certain instances we can advocate more regulation for certain groups can only undermine the concept and practice of religious freedom.

Furthermore, the cry for regulation of new religious groups is usually based on fear; fear of something different, fear of something new, fear of an undermining of traditional values and ways of life. To give in to fear and to base regulatory legislation on fear has rather sinister implications for our view of ourselves as a free country and our view of our judicial process as treating everyone as equal before the law.

Traditional Religious Groups

The Mennonite Brethren said the state should not regulate religious thought and belief. It also said:

It is possible that some radical cults or sects may engage in acts of criminal coercion in the course

of their religious practices. At this point the state is completely justified in intervening with the use of laws already in the Criminal Code. For example, kidnapping laws or extortion laws may be applied. But these should be applied only against individuals, not against a religious cult. The application of laws against individual members of a cult does not give the government carte blanche authority to harass the cult. In all situations the onus should be on the state to prove that the practice, or intended practice, constitutes so great an evil as to warrant state intrusion into the realm of private affairs. Concerning both substance and procedure, there should be provision for legal appeal.

...There is minimal risk in using the Criminal Code for purposes of intervening against unacceptable social behaviour.

The Ontario Conference of Catholic Bishops declared:

We believe that the present law is sufficient to protect 'the general public.'

....If the state recognizes that there are any real abuses against individuals or society being practised by such groups, sects, and cults, we hold that the correction of such abuses must be achieved only by laws other than those pertaining directly to religious freedom.

A minister of a Presbyterian Church in Toronto commented on the difficulties in coming to grips with the behaviour of groups.

It is with that sense of frustration in mind that I approach, with caution, attempts on the part of the state, or anyone else, to regulate the practices of religious and para-religious groups for, in order to achieve the kind of legislation required to control the practices of mind development groups, sects and cults, is, I think, of necessity to infringe upon the rights and privileges of religious groups as a whole in society. Therefore, in response to your first question, 'to what extent, if at all, should the state attempt to regulate the practices of religious cults and sects,' etc., I have serious reservations as to the possibility of legislating such regulation at all.

It seems to me, at any rate, that these mind and development groups and sects and cults are exploiting rights and privileges of religion which have been put in place by another generation with nobler intent and without the tools of mind manipulation that confronts us in the latter part of the 20th century. The matter is, to some degree, analogous to the rights and freedoms of the press which should be well beyond government regulation or intervention while, at the same time, are subject to the kind of abuse, character assassination, innuendo and so forth which libel and slander laws do not touch.

Historically speaking, one has always the fear that the state could regulate religion to such an extent that we may again see the repeat of manipulation of religion by the state as in the Third Reich. I realize my fear may sound extreme, nevertheless I do not feel qualified, as a legal theorist, to distinguish the finer points of distinction that may be created in law to protect against such extreme eventualities as I have noted above. Suffice to say I support some form of legislation which would at once protect traditional religious freedoms and, at the same time, curtail the abuse of religious freedom as exemplified in the mind development groups, sects and cults.

At present, the only approach that I can see from my personal perspective, would lie in the point at which the state would intervene in dangerous practices. To borrow terminology from economics, it is a question as to whether Ontario deals with the matter Ex-Ante or Ex-Post. For the state to get in, as it were, ahead of time, and attempt to prevent the function and action of cults I feel at this point would be extremely dangerous for a number of reasons.

First of all, with the rate of development of mind bending and manipulation techniques, it strikes me it would be singularly difficult for the state to anticipate in advance, through its legislation, the kinds of perversions and manipulations that may develop.

Secondly, such legislation would, in eventuality, be subject to further abuse through the applying of 'the letter of the law' by such organizations and groups as they may emerge.

Thirdly, by developing legislation Ex-Ante, it seems at this point almost inevitable that rights and privileges of religious groups would be impinged upon by such legislation. This was, to some degree,

evident in the kind of thinking that emerged through the Ontario Psychological Association when they presented their paper to the government last year proposing means of regulating psychological practices in relationship to these groups in the province.

Although it may seem less satisfactory, perhaps in the long run the Ex-Post approach to the problem may, in fact, be the only approach open to the government. Through the process of identifying flagrant abuses of religious freedom, the state may then use its other laws in order to check and control the practices of such groups. This approach avoids some of the pitfalls noted above, and has been used with some measure of success in the United States when U.S. Civil Rights laws were used to curtail the actions of lynch mobs and other groups who were violating and attacking minority groups.

The president of the Seventh-day Adventist Church of Canada described the cautious attitude of his church towards legislating in this area.

We have some very grave concerns, however, 'should the state attempt to regulate the practices of religious cults and sects in order to protect individuals and/or the general public.' There would always be the question as to what constitutes a cult, a sect, or mind development organization that would be called out for special regulation. It would seem to me that conduct alone on an ongoing basis should be regulated to protect society from apprehended dangers.

There are instances where the activities of a church or a religious body threaten, by their actions, the physical safety or the mental health of people which would need regulation. Refusal to allow infants to receive recognized medical treatment, or to subject underage youth to sustain harsh emotional stress, harassment and brain-washing against their will might in certain circumstances warrant intervention of a protective nature by the State. On the same basis unwarranted restriction of religious liberty and the freedom to worship would justify public censure of the State by the Church.

It seems to us that religious groups that indulge in handling poisonous snakes as part of their religious ritual or the ingestion of poisonous substances to cause death or hallucinatory conduct that could cause serious and long-term brain damage should be proscribed, certainly, insofar as it involves youth

who may not realize the significance to their physical and emotional health. I am not aware of any instances where this problem has arisen here in Ontario. Should there be religious groups that refuse to permit their children to receive a reasonable education and preparation for adulthood, either in the public school system or one of their own that meets minimum educational standards it would seem State interference to prevent illiteracy being inflicted upon defenseless children would be legitimate.

To minimize risks all groups must be dealt with in a consistent manner and every effort must be made to keep value decisions out of regulatory legislation. We understand, of course, that if some group engages in practices that they consider to be religious but, such conduct encroaches upon the equal rights of others or endangers the safety of others, such conduct has to be restricted or at least removed far enough away so that others are not deprived of their rights.

Although members of the national structure of the Anglican Church of Canada disapproved of any special laws designed to regulate the practices of groups, they said:

When there is clear evidence that existing laws designed to protect individuals and/or the general public have been broken, then we believe action should be taken under these laws and publicity about the action should follow. This would help alert people to the potential dangers of cults. The charges should be specific and not general to avoid giving the impression of persecution.

Similarly, the Canadian section of the Lutheran Church of America said:

Religious liberty is one aspect of human rights. It includes freedom of speech, press, assembly and belief. In Canada such liberties, although not written in a constitution, are assumed to be part of our way of life.

Yet religious liberty is not an absolute right; in every situation it must be weighed against other values before a decision is made. The religious liberty of a person or group may be limited by government only on the basis of an important and

compelling public interest. Nothing less than a serious and immediately threatened violation of other basic human rights should warrant restrictions on religious liberty.

Laws preventing fraud, cruelty, kidnapping, false advertising already exist, as do laws protecting health, safety and justice. These should be sufficient for the state to maintain justice.

The Fellowship of Evangelical Baptist Churches in Canada stated in a letter:

The question of legislation, as you have raised it, is nevertheless in our view fraught with problems, to say the least.

There is a large difference between physical or external forms of coercion, and the 'inner' types, those for example of psychological or philosophical persuasion. Clearly, the state is required to responsibly legislate against any and every form of external coercion, of physical assault. Good and just laws are in place regarding this.

However, in our view, when once the state attempts to 'regulate the practices of religious cults and sects' (sic), that is when once the state seeks to procure legislation against non-physical forms of coercion or persuasion, certain singularly interesting conditions must follow.

Again, if it can be shown that a group's 'freedoms' are seen in terms of physical coercion, already there are laws covering those conditions, as stated above. We can't, however, support laws against non-physical methods of enlistment; nor do we even think they could be practically implemented in any case.

In its submission, the Pentecostal Assemblies of Canada said:

While recognizing the problems that we face in our complex society, (which are symptoms of a spiritually bankrupt society), we believe that we as Canadians, citizens of the province of Ontario, should use the imperfect tools that we already have, based on the Criminal and Civil Law, and that all these procedures should be processed by the normal open courts, and not by secretive 'star chamber' methods, headed up by an officer appointed by any civil or ecclesiastical authority.

We believe that such specially formed boards (whatever their name) tend to mask the approaches of arbitrary government. God forbid that we should have another layer of bureaucratic body.

It also suggested that:

The state should only regulate the practice of the so-called cults, as has been the British Common Law system, in which a person is innocent until proven guilty.

No doubt there are cases which warrant intervention by the Crown. But in such incidents, there should not be any short-cuts in procedures that are assured by Common Law judicial processes and the guarantees in the Bill of Rights.

Similarly, the Watchtower Bible and Tract Society (Jehovah's Witnesses) expressed caution in regulating the practices of groups:

There may be individual situations where groups attempt to hold people essentially as prisoners and prevent them from escaping. Violence may have been used to bring such people under the control of these groups. But you don't have to have a special law to make that illegal. It is already illegal. The same is true of the deprogramming practice. This also is a pattern of violence and kidnapping, so there is no need to have special laws to supervise it. Simply apply the law that is already there. Parents and others have the right to petition for enforcement of these laws.

Please be assured, we do not deny that brainwashing or mind-bending is a form of a threat. But where no force is used and where there is not detainment against one's will, who decides that it is really brainwashing? Of course, if force is used in any way, we repeat, laws exist to cope with that situation.

The Committee on Publication for the Christian Science Church advised the study to insure that public interest and the constitutional right of the individual are served and protected. A church official continued, referring to an

article by the Rev. Dean Kelley, Executive Director of the Division of Church and Society. "Although Mr. Kelley is not a Christian Scientist, his statement expresses so well the position and concern of our own church in regard to this subject."

Should the government inspect and certify religion as it does meat? Should it send infiltrators to join the group or seek informers in it to keep the government apprised of its activities (as was done with supposedly subversive political organizations in recent years)? To some of us that cure would be worse than the complaints as well as violating the First Amendment's protection of the free exercise of religion.

The law already provides proper and usually adequate ways to deal with wrongdoing in or on the part of religious groups. If such groups or their members are engaged in anything that is against the law, they can be prosecuted and punished and they should be. The claim of religion is no shield against proper law enforcement.

But the law also protects all citizens and groups, whether religious or not, against 'unreasonable' searches, seizures, surveillance, or arrest. The threshold test is whether there is 'probable cause' to believe that a crime has been, is being, or is about to be committed. Mere suspicion and allegations will not suffice. There has to be some concrete evidence, such as an overt act that can be explained only by criminal intent, to justify subjecting any person or group to the intervention of law-enforcement authorities, and religious groups are as much entitled to this protection as anyone else. They should be presumed innocent until proven guilty by objective evidence.

But does that not mean that a lot of 'hanky-panky' is going to go on in the name of religion? Of course. That is what 'freedom of religion' means. Some people are going to be taken in by tinhorn messiahs that many can clearly see are demagogic frauds. Out in the area of religion, one person's 'fraud' is another person's 'faith' and who is to decide between them? Certainly not the civil magistrate! They are all free to follow whatever religious teacher they believe best meets their religious needs, whatever outsiders may think.

Health Sector

A doctor and expert on religious cults and sects provided the sole recommendation in this category:

If the people actually hold someone against his will then that's a matter of their having broken the law. Where if they assault him, well there's a law for that as well; and I think that the extent of the persecution of these organizations ought to be the simple enforcement of the laws of the land. Now then, there are laws against false advertising and against the issuing of false claims and is also liable in slander. I think all of those laws...could be applied without specifically persuing any of these groups or attempting to outlaw them.

He also expressed caution over the introduction of new legislation and extending existing powers:

I would not care to extend the Criminal Code to include that type of physical restraint. I think we've just got to accept it because...there would be a greater loss to us if we started broadening the Criminal Code so as to prohibit psychological restraint of that kind, as abhorrent as it is. I think that there would be a far greater injury to the social fabric if we tried drawing up such a law. We've just got to go along such a difficult tightrope here. I think it's appalling that people would have their individuality reduced systematically by the application of really well known techniques right now. That really disturbs me. I find it a hateful, awful thing.

...So I think we have to live with these occasional folk who will gain their own personal empire, their little power by victimizing people...I think far more citizens would be hurt in the end even though we might control certain charlatans in the community.

Social Services Sector

The Toronto Young Men's Christian Association presented its position in a brief to the study:

We are very aware and supportive of the freedom of choice and human rights focus in an 'entitlement' oriented society like ours. This makes it difficult

to exercise control over any groups including mind development groups which do not explicitly break laws. We believe that the risks of legislation in attempting to control society far outweigh any benefits which might accrue from such an attempt. Violations of the law committed by mind development or any other organizations in terms of misrepresentation, fraud, physical assault and injury to mind and body should certainly be prosecuted in accordance with the existing Criminal Code. In our opinion a problem does exist which is rather complex but simplicity at the cost of freedom must be avoided.

Ex-Group Members

Former group members furnished the greatest support for the enforcement of existing legislation. Many alleged that deception and false advertising was being practised by some groups, but existing laws protecting the public were not being properly enforced. One person said:

...The thing is that these people are being deceived and it's like anybody getting conned...Sure you do it with your own free will, but you were deceived and this is the thing that bugs me most....They're being isolated, taken away, given information...It's just deception. This is the thing that has to be stopped.

Another person felt that his former group

...should be legally subjected to the same vulnerability to a malpractice suit as the rest of the medical profession. This is one of the few checks and balances available to the public to defend themselves against unqualified medical practitioners, and it should equally apply to [Scientology]. The fact is, the plain fact, is that they are taking money for psychiatric treatment and they should be legally accountable, no matter what they say about that being a religion and all that, that's just a smokescreen to cover themselves from being sued for malpractice.

Active Group Members

Members of five different groups recommended that only the present Criminal Code be used to prosecute individuals

if laws have been violated. A group member wrote in a paper presented to the study:

...No government should interfere with the right of a person to pursue truth and happiness through any belief or practice they choose. This is universally accepted by all conscious people.

The fact that a group, belief, practice, etc., is new does not mean it is dangerous. I strongly suspect that Christ and his followers would be on your list if this was taking place 2000 years ago.

If current laws are being broken, or the practices of some groups can be proven to be illegal, then it is obvious that they should be subject to the laws of the land. This would obviously apply to deprogrammers as well. However, to put evaluative or judgmental power in anyone's hands regarding people's beliefs or practices has a very dangerous potential.

Two group members described the enforcement of the present consumer protection legislation as ineffective. One member urged:

that the Consumer Protection Agency or other agency be empowered to maintain files on counselling services, to receive complaints and to initiate investigations where actual fraud is suspected.

Government and Private Experts

Two police experts felt that sufficient legislation was present but lacked enforcement. One officer suggested that improvements in the protection provided by the Ministry of Consumer and Commercial Relations could be achieved through better enforcement. The Council on Mind Abuse (COMA) took the same position, maintaining that existing consumer protection laws should be invoked to curb the practices of deceitful group fund raisers.

U.S. Sources

The majority of U.S. material favours some form of legislative action against movements. There were only three recommendations from U.S. sources for use and enforcement of existing legislation. Dr. Jacob Needleman, professor of theology at the University of California, Berkeley, said the fullest use should be made of criminal and civil prosecutions. Likewise the Jewish Community Relations Council of Greater Philadelphia stated that most "law enforcement agencies now have most of the tools they need to end the abuses of the cults, if only they can find the will to use them." However, the Council did note that existing laws may not be sufficiently adequate to deal with particular kinds of objectionable behaviour. In the event that consideration were given to changes in present legislation, the Council recommended that public hearings be held.

The Rev. Dean M. Kelley, chairman of the national church-state committee of the American Civil Liberties Union (ACLU), stated before the hearing on the Cult Phenomenon in the United States:

Adherents to all religious beliefs are entitled to equal protection of the law. Government may not support any religious group nor infringe the freedom of any individual to join any religious body.

In explaining the First Amendment's protection of religion, the ACLU does not comment on the value of any religion. It does support the right of every adult to choose or reject any religious group or principle. As to those who are below the age of majority, decisions must be made upon a case-by-case and practical basis.

...The ACLU believes the First Amendment does not refer to the content of such belief or disbelief,

whether it be the dogma of Roman Catholicism, the verities of Bhagavad Gita, or the Divine Principle of Sun Myung Moon. The only limit upon joining a religion is a prohibition against criminal conspiracies involving such acts as physical coercion, actual assault, and kidnapping. The ACLU supports the right of people to accept or reject whatever religious beliefs they choose without facing the pejorative charge of 'brain-washing.'

The Rev. Kelley continued:

The recent tragedy of Jonestown has raised many questions about the activities of other 'cults.' The ACLU opposes murder, coercion, and other violations of the criminal law and, to the extent that murders and other crimes were committed at Jonestown, we do not oppose vigorous prosecution by law enforcement authorities. But the abhorrence of events at Jonestown should not blind citizens to the serious constitutional questions raised by demands for governmental investigation of 'cults.' Hysterical reaction is no substitute for rational thinking when constitutional rights are concerned.

PUBLIC INFORMATION AGENCY

The establishment of a public information agency was the recommendation least frequently proposed for dealing with groups. The agency as envisioned would operate on the lines of a better business bureau, registering and gathering information on all cults, sects, new religions and mind awareness groups. Organizations would be encouraged to provide information about their services, including goals, history, ethics, personnel, training, educational background, and fees. On request, the agency would provide available information to the public.

For the most part, proponents felt that government involvement should be minimized. A large number supported a

privately-run agency with no powers of licensing or approval, providing a non-judgmental service. Others said a grading system should be used to evaluate the level of services. Further suggestions included the implementation of mandatory registration procedures and the application of penalties to those who failed to register.

Universities and Scholars

Prof. Don Evans, a philosophy professor at the University of Toronto and past chairman of the Committee Against the Psychologists Act, had originally recommended a Better Counselling Bureau (BCB) in connection with the proposed legislation to register psychologists. He outlined for the study the elements of such a bureau, also known as the Counselling Rights Association.

Purposes

- (a) To protect citizens against misrepresentation and inhumane treatment when receiving counselling from individuals or groups or institutions.
- (b) To protect the right of citizens to give and receive counselling according to their own convictions concerning what promotes their growth towards a fulfilled human life.

Membership [in BCB]

Any individual or group willing to pay a membership due and to agree to a code of ethics in counselling which expresses the purposes in slightly more concrete form.

Membership would imply willingness to respond to any complaints made to the BCB concerning one's counselling activities.

Powers

No powers to prosecute
 Power to publicize and to expel from membership
 Power to recommend reforms in the law

Financing

More than 50 per cent from membership dues of members but a sizeable support, at least initially, from the government of Ontario. (Precedent: Council on the Family, British Columbia, where a non-governmental coalition of groups received government support without coming under government authority.)

Review Panel

This would be appointed by the membership at an annual meeting. Probably there would need to be constitutional restrictions on its membership so that there would be roughly equal representation from 'establishment' and 'non-establishment' counsellors. For example, there would perhaps need to be assurance that there be at least one Registered Psychologist but also at least one representative from a set of groups self-designated as 'minority religious groups.'

Obviously the feasibility of a BCB would depend on whether, in spite of the deep distrusts and suspicions and disagreements which exist among groups and individuals in this field, a minimal area of agreement concerning reduction of gross abuses could be worked out.

Initiation

The first moves towards such a BCB would have to come from an individual likely to be trusted by a broad range of possible members, and then by a small committee having similar credibility. Such a committee might organize an exploratory conference, focused on the possibility of a BCB.

The BCB should not be a government-controlled institution. It should be a voluntary association. Otherwise we would be conceding in principle the right of the state to control all counselling activities.

Compromise re Scope of Membership

It seems to me important that the BCB be initiated in such a way as to ensure widespread participation by non-professionals and non-governmental bodies. If the OPA or the OMA did not join, for example, this would be regrettable, but they already have their own self-policing procedures (inadequate though these may be without

substantial lay, disinterested participation). But to introduce a degree of self-regulation among other groups would be a desirable step. Ideally, of course, the whole spectrum of kinds of counselling would be included.

Education Sector

The most elaborate and clearly defined proposal for a government-operated information dispensing agency came from the International Association of Applied Social Scientists.

We recommend that the government operate an information dispensing agency which would provide data to the public about registrants from the religious, mind development, cult, or sect field.

Inquirers would write or phone this agency to obtain information on any person or group providing such religious or personal development services. The data would be provided to the government by such practitioners in the form or manner proposed herewith -- namely, a registration statement.

It is our belief that the following statement would be true for any person, group, or organization whose services, intentions, and methods conform with our society's basic desires and needs for services which are enhancing for the individual person and our society.

'I/We want the public to know about and have easy access to the following information about my/our service.

- our goals
- our ethics
- our personnel (staff)
- our methods of service
- our fees (financing methods)
- our training and education background
- our history
- our sponsoring body (ies)
- our licensing or certifying processes
- our sites of service
- our typical client (s)
- our previous services.'

For many service agencies (e.g. churches of long standing) these facts are already widely known and understood. It's our belief and expectation that

such agencies would be extremely willing to re-state such facts in writing and make some available to the public.

For the many others where the public does not have such information and where such information is not easily accessible, we believe such agencies would be extremely pleased to make their information public.

We believe that only those who may have something they wish to keep from the public would not respond to the opportunity we have recommended.

In such cases, an inquirer would become aware of this upon asking for information from the agency we propose the government would run, and which we describe as follows.

The agency would have access to a computerized data service or other data handling resource which would facilitate easy and quick processes of access to, and changing of, the data elicited on the attached registration form.

A telephone number would be listed in the phone books in the same manner that other government services are. At the same time the phone number could/should be advertised intermittently as appropriate, while all social service agencies should receive the number directly, as should all registrants.

Finally, it must be made clear that this government service would be an information service only and that there is no licensure or approval meant or implied. Staff of such an agency would have to be extremely non-judgmental in giving the requested information.

The association's position was further clarified in interviews with two of its officials.

We are not suggesting in our brief that regulating or licensing is the thing to do. I want to make that very clear. What we are saying in the brief is that if any step is to be taken by government that we believe it might best be in the form of simple registration.

I would be prepared to support wholeheartedly voluntary registration to a state agency or government agency. Whether it would be mandatory or not, I think is a debatable issue. I'm not too sure I would support that, I think it is impractical from the

point of view of a government because it would require sanctions if it was mandatory and I don't think there are any governments in the world who would be able to handle that end of it in any way that would be satisfying either to themselves or the practitioners. However, for there to be a state agency that anybody knows exists, that is wide public knowledge that I can go to the state agency and I can find out about a group -- its goals, its practices, the address of its head office, the names and maybe backgrounds of significant people in the movement.

That whole thing should be available to me on a simple phone call or letter basis and if a group did not fulfill that then that would simply be stated, if I phoned that agency and asked 'what do you know about that group?' 'We are sorry, that group has not registered with us,' and so I am left knowing that I am enquiring about a group about which I am going to have a difficult time finding information. Now if I was phoning about the YWCA or the YMCA or whatever other group and I got the answer back, I would then know immediately that at least this group is about things in a very public way, and I don't think that the government has any more responsibility than to do that to provide that service.

...I don't think it is a concern of government except to provide a vehicle by which a person can make an enlightened choice in the light of their own situation.

Question: And in no other way should the government interfere or deal with their practices, their current practices?

First Official:

I agree with that statement, simply because it is not going to be beneficial for anybody for that to happen. It is not going to be beneficial either for the government or for freedom, or for human development, or anything else for the government to take any other stand and simply provide that as a service. We will not be able to stop through regulation the practices that occur within these groups. We may send some of them underground where they are less accessible. I wouldn't want to see any of the results.

The other official:

...Let me say for a moment. I concur pretty much with what you are saying. One of the features of it, one of the strengths of this kind of approach as far as I am concerned, is that increasingly what this does is reinforce what government says it believes in...I mean in a democratic society we say we believe in the freedom and responsibility of the individual citizen. It seems to me that we have worked on the freedom dimension but we haven't in our policies and in our legislative practices worked enough on the responsibility dimension. By providing people with information in a concise way and in a format so that they can have at least some information...it seems to me that they are in a much better position to make informed choices. Gradually helping to educate them there.

The first official:

I don't think the agency has any responsibility for making a judgment about the practices or the outcome of people who register.

The association's officers opposed regulations or licensing standards but agreed on the need for a desired level of practice. All registrants, including established religions, would be accepted. If an organization refused to supply the information requested, records would reveal where the gaps were and this information would be available to the public.

As for those groups who refused to register, it was felt that word-of-mouth would bring this to the public's attention. Negative sanctions were deemed neither necessary nor desirable. The association's officials continued:

It seems to me the public education job that needs to be done is around how it is so important that people register and what the pay-offs are for them in registering; and how they as organizations have a responsibility to educate the public, that in fact the government is the public.

...The only reason...that I even support that kind of a government service, I really think that is

where it has to come from at this point. I see a growing need for the kinds of services that we provide and other people in social sciences provide and it is not going to go away. So rather than have this kind of critical incident response to crisis by governments over the future, I would think that this practice of a service, from a government to the people would meet the needs you are mentioning about growth of autonomy in the individual and at the same time allow the government to maintain its distance from religion if you want to call it that -- the old church-state separation type of thing.

The Waterloo County Board of Education supported a similar type of agency. The board said some type of registration of a practitioner's objectives and philosophy should be made available, but they did not envision it as an approval process. One representative stated:

I guess I'm simply advocating at least the degree of openness that is required of corporations should be required of practitioners of human relations services. That would be a minimum, I think, and that would have its positive effect. I think it would never get rid of it all. I think that's one item we haven't dealt with here, 'what is the reality of all of our work in this?' The reality is that there will always be that grey area.

Ex-Group Members

Five ex-group members made similar recommendations. On two occasions it was suggested that an agency similar to the Better Business Bureau would be useful. One former group member felt a rating system based on standards and criteria established by the bureau could be used. He perceived the structure as being government-appointed but not government-run. He said:

...The groups themselves will be forced to clean up their act or they will, strictly by not having a good rating, they will be forced out of existence so it's a self-policing program, really.

A family whose daughter left a group stated:

...The thing that would be most helpful is to collate or gather together factual information so parents or people who want have some place to go where they could find out information about these groups, to at least make people who are getting involved aware of the facts and aware of the situation.

Concerned Citizens

A former administrator of the Canadian Mental Health Association said minimal public protection could be offered through a non-government agency, which would uphold the freedom of the individual to associate with any group while using standards established by the government to inform the public about these groups.

Active Members

One group supported the establishment of an organization similar to the Better Business Bureau to regulate groups, but they appeared to exclude their own organization:

A group that offers some sort of social education or mental development, such as the Dale Carnegie courses, should be subject to the same regulations as other businesses. They should be regulated by some sort of agency like the Better Business Bureau. After all, these groups are offering some sort of program for the betterment of the individual at the cost of some fee. If there is some complaint about a business, then there is an investigation. Similarly we feel that these groups should be regulated in the same way.

Government and Private Experts

A Toronto journalist proposed that an agency or board be set up by government to offer more consumer protection by attempting to refund money to unsatisfied customers.

PUBLIC EDUCATION PROGRAMS

The recommendation for public education programs received the largest response with 59 supporters. Former group members, their families and friends were the most numerous supporters of this non-legislative measure. Many favoured public education as a remedial solution because of the present lack of information available to the public and potential members. A father whose son belongs to a group said:

There are thousands of parents wandering around this city who wouldn't even recognize the start of the symptoms of this.

Another former movement member stated:

People must be aware of what is happening. I didn't know anything about cults and what they really were doing.

Similar statements were made repeatedly by parents or adolescents who asserted that the ability to make a more rational, informed decision would have been possible if they had possessed prior knowledge of groups.

Other groups and organizations suggested that the ability to make a more informed decision would be one of the most beneficial results of a public education campaign, while

preserving the intrinsic religious liberties of all individuals. It was stressed that the ability of each person to determine his/her own philosophical and religious persuasion must be maintained.

Respondents differed widely about the desired format of a public education program. Some suggested radio and television "talk" shows, public lectures, debates, and forums. Others maintained that courses should be taught in primary and secondary schools.

Universities and Scholars

A professor of religion at the University of Calgary drew attention to the threat posed to religious freedom by state regulation. He said fear of the new and different, as well as the undermining of traditional ways of life, encourages the cry for legislation. However, legislation based on such fear could create serious negative implications for freedom. He further stated:

It would seem to me that in both the issue of fear and the issue of breakdown in traditional values and structures, the answer lies not in legislation but in education. I am suggesting here that we exercise a good deal of caution and that we be willing to spend time, effort and money, to educate people in this area, so that choices for alternative values and life-styles and searches for meaning will become informed choices and searches, at least to a certain extent. I am not an idealist who sees education as a cure-all for all our illnesses. However, I much prefer the educational route to the legislative one.

Traditional Religious Groups

An officer for Jehovah's Witnesses supported public education programs in the schools but wondered about possible problems arising during the implementation of such programs:

The motive is good. Implementing it is another thing, because it's very hard to get someone else to represent the views of another group. You can't begin to grasp it or sense it. To keep colour out of it is very hard. Passing remarks can leave very deep impressions on impressionable children. One solution may be, as some schools do it, to have people in from those religious groups to express themselves. We don't say that's a bad idea. Whether it's the solution, we don't know. There are all kinds of problems. There just is no simple solution to educating the public along these lines. There's no doubt it would do a lot of good.

The Most Rev. Edward Scott, Primate of the Anglican Church of Canada, said:

Focus attention upon an open educational approach. Responsible publicity relating to the positive and negative of such groups should be encouraged.

There might be real value in producing a pamphlet outlining the rights and responsibilities of children and procedures they might follow if they suspect they are being exploited by certain sects or cults.

While the Conference of Catholic Bishops did not recommend outright the undertaking of a public education program by the government, it did indicate its support in the following statement:

We enclose a statement, an interdenominational message entitled 'The Dangers of Pseudo-Religious Cults.' It offers a straightforward, practical way of alerting and educating people and of reducing the impact of mind development groups, sects, and cults on young people.

The Rev. Colin Clay, Chaplain for the University of Saskatchewan, recommended in his submission to a federal Member of Parliament that a group information centre similar to the one established in Montreal, be established in the Province of Saskatchewan. In addition he stated:

Because it has been estimated that for every cult member rescued, some five new members are recruited, it is imperative that an education program be developed for parents, teachers, doctors, clergy, lawyers, and other interested persons. I recommend that some of the experts I have visited be invited to Saskatchewan to give lectures and conduct workshops, and that a 'low-key' course of study be prepared for use in our school system so that our young people may be forewarned without being excessively alarmed.

And finally the Canadian Jewish Congress and B'nai B'rith recommended to the study:

...that such information as may be required on abuses inflicted on the public by such cults be given the widest public attention and publicity.

Health Sector

Of the seven responses in this section, four came from interviews with doctors. One doctor said a public education program would help to fight the paranoia regarding new religions and to teach tolerance and openness. Another doctor from Windsor Western Hospital Centre was convinced that public education about the dangers related to mind development groups, sects, new religions, and cults was required. With the active intervention of family, physicians, and clergy whenever possible to prevent the straying of youths to such groups, he felt it would provide an effective remedy.

A psychiatrist who responded to the study remarked that since Ontario was already into the business of religious education, teachers should "teach our youth, then, to be skeptical of all beliefs." He suggested one compulsory hour of class time per week be devoted to this purpose.

Mental Health Metro, affiliated with the Canadian Mental Health Association, said in a letter to the Minister of Consumer and Commercial Relations in 1977 that it was concerned about the proliferation of "mind development" organizations. It urged an investigation of these groups "to determine if they actually confer beneficial treatment upon the consumers of their services" for the purpose of informing and protecting the public.

At that time, it also recommended to the Ontario Psychiatric Association that:

they undertake a program of public education regarding the various types of treatment methods employed by practising psychiatrists and the efficacy of such treatment.

Mental Health Metro's concern with public education is also evident in its Consumer's Guide publication advising potential users of "health services" to exercise caution when investigating programs.

The Ontario Society of Clinical Hypnosis said:

The public must be aware of the use of hypnotic techniques in cults and sects...the attenders of groups need to be aware of these modalities and of times when it is being employed so that they may have the freedom to choose whether to proceed or not.

Education Sector

A trustee for the Oxford County Board of Education supports public education programs in the schools but foresaw many problems.

Your course of study is only the first step. It's very simple to develop a factual course of study outline informing children as to what these are. Then you have to say who's going to teach it, when are they going to teach it, how are they going to teach it...What protection is there going to be for those who oppose it because...whatever you say, it's going to be interpreted as indoctrination by parents if they are of an opposite religion...It's so easy with human nature being what it is, and we've got almost 1000 teachers in our jurisdiction. I just look at the almost impossible task of trying to get, on a regular on-going basis, teachers treating that matter in...roughly the same way in a responsible manner, year after year, without adding to it, deleting from it, or altering the interpretation of it as it goes into those young minds.

If you're talking grade 6, 7, and 8 it's going to be a mandatory type program and once you put it in then you have to be aware of what a teacher is going to do with that material once he or she walks into the classroom. And that's where I see the difficulty, that and the time. You know, we'll have people jumping around us all over the place saying, 'Back to the basics, they're not getting enough English, they're not getting enough mathematics.' Now, we're talking about something else that would probably take 20 minutes a day out of a grade 6, 7, and 8 timetable. I think there would be a reaction from the teaching profession and I think there would be a reaction from parents not so much on the basis of a course of that kind, but who's teaching it and how do they teach it. It's very, very difficult for a person who is an independent Baptist, for example, to represent with any degree of objectivity the history of the development of the Roman Catholic faith, let's say. Without prejudice I just don't think it can be done.

But, I think the point is well made about the information being available, compiled by someone in a responsible position, in an objective fashion. I would love to have as many pamphlets on these various sects or cults or religions -- call them what you will -- that are as detailed as the ones that I right now have on cannabis and cocaine and every other harmful substance under the sun. I would certainly like to have something that...is an objective, an authoritative

description of the religion because in most cases the description itself would lead you to comprehend it very clearly...And I think that kind of thing could very easily be in guidance departments in schools. And I think in that kind of setting it's very easy if a child develops an interest in something or other to come in to look at that kind of material and to have someone designated in the school to review that with him or her, and possibly in such a situation to let the parent know that that child is interested in that feature.

You have your supermarket approach in the secondary schools and the problem there is that you would only reach those who are looking for that option for any reason, not necessarily the right one, and probably miss most of the people who need that kind of guidance.

A trustee with the Waterloo County Board of Education also supported the idea of public education programs, saying it would allow access to information, which would encourage "informed decision-making around entry, continuance and exiting from the process."

An official with the Brant Roman Catholic Separate School Board was strongly in favour of a survey type of course on basic religious philosophies being taught in the schools as part of a basic life skills program. He questioned how a 20-year-old could determine which of the between 50 or 60 so-called legitimate religious groups are acceptable if there had never been any exposure to them. He said there is a lack of training in evaluative reasoning in the present school system. This training is necessary because, "The world is a very complicated kind of place and it's becoming more complicated, and therefore I think that [learning to cope with the world] has now become a basic skill...I think it's something which has to be taught."

The administrator of the Cochrane-Iroquois Falls Board of Education said that if such groups are operating in a questionable fashion:

then there should be some means established whereby our students are warned of the methods of operation so that they may be prepared to withstand such forces when they leave our jurisdiction to take up residence in larger centres.

Community and Social Services

An experienced street worker and counsellor with the Addiction Research Foundation in Windsor said a survey course in religion was a definite possibility in the school system. He said:

You would have to have a sociologist, a scholar of religions -- sociology of religion -- who would teach an unbiased perspective because I have taught religion in schools and I know how easily you can get through to young people if you are a good teacher. This has been one of the problems of religion in the schools, you get an over-zealous pastor and he uses the hour that he is given towards conversion, and I just can't buy into that myself... A sociologist of religion, I believe, can still hold their own belief system and still be objective about other world religions, including the fringe groups as you have expressed. I believe that it is possible, you know, I think it would be expensive, because they would be highly skilled people, but then if that is all they did and they didn't teach any other courses within the elementary system or secondary system. Really it would be an expansion on what some schools are already doing, and that is comparative religion.

Also in the area of public education, the counsellor thought better reporting could be done by the media.

I recommend that [the media] do objective reporting where they present the pros and cons of any group being reported upon and that there are a lot of people -- your semi-scholarly people within the community -- who can comment objectively, but not to allow proselytization in the public media unless it is paid for. In other words, I don't think that

an Anglican or a Moonie should be able to go on the radio and propagate their faith without paying for that, but I believe that a reporter could interview me as an Anglican priest to discuss with me some pretty hard questions about my religion which either makes it look in a favourable or disfavourable light, and I believe there is a difference in that kind of use of the media.

In its brief the Toronto Young Men's Christian Association (YMCA) said:

The best approach, in our judgment, is one of consumer or individual education. An excellent example of such an approach, which we endorse, is the Canadian Mental Health Association's Consumer Guide -- 'Getting Yourself Together.'

...Raising public awareness through the medium of community education, public debates, inquiries, forums, etc. will, we believe, be the most constructive approach in dealing with the issue. Such approaches will support the principle of individuals exercising their own judgment and making their own choices.

The extensive public awareness created over the past few years with regard to the more narrow field of physical fitness has enhanced the quality and quantity of those services available in the community. This has resulted in more informed selection of services, a broader range of choices for the individual, and the raising of questions concerning misleading advertising which has resulted in changes being required by the Ministry of Consumer and Commercial Relations.

[Through public education] we believe members of the public will become more informed and better able to weigh the risks and benefits of such programs and groups, and thus make more sound, individual decisions.

The Chatham-Kent Community and Family Services agency recommended:

That the curriculum of Man and Society at the secondary school level include a study of such groups and the pros and cons of involvement.

That a family life education curriculum be developed for both the elementary and secondary school levels,

that such courses be offered on a credit basis, and that local school boards be encouraged to develop family-centered discussion groups and activities in consultation with local Family Service Agencies and other community agencies which have expertise in the area of the family.

The Catholic Family Service of Ottawa feared legislating against groups because of the danger of infringing on individual civil liberties. It was pointed out that agencies such as the Catholic Family Service, which have been offering awareness or "personal growth groups" for a number of years, could be detrimentally affected by such legislation. Staff members of the agency had had contact with a few of the new religious and mind awareness groups and felt that many of these groups were "genuinely concerned with mental health or spiritual growth and that the outcome of the experience is indeed a positive one for the individuals concerned." The practices of other organizations, however,

appear to leave much to be desired. We believe that intelligent education about the nature of these groups, what to look for, what to be aware of, is the most positive way of addressing the concerns.

Ex-Group Members and Families

Parents whose son became a movement member said:

I don't think the government should stay out. I don't think I'd want to see legislation, because then you're adopting their methods, you know. You have a police state, and I wouldn't want that. I do think, though, that probably the best way to deal with it is what they are doing now, I think education. I think the more that is known about these groups, and about the techniques they use... [then people] wouldn't get involved...I don't think in a free society you can make laws to say you may not do this...Ideally the only thing you can do is have things as open as possible...and let people make up their own minds.

Similarly, a former group member stated:

Well, I don't really believe in regulation as a way of life. I think the best way is probably to have public education programs advising people... so that people know that a lot of groups use these techniques so that at least they know what they're getting into.

A mother, whose daughter had been a member of a group, strongly recommended that:

children and parents should be educated about cults at school and through home and school and PTA organizations, and also through the media. An example of the latter was the Shulman File...

Her daughter said:

I would say there is a great need to educate members -- not members, people -- because when I went there I was totally ignorant of cults. The only thing I had heard something about was the bizarre cult, The People's Temple. That was the only thing I knew about it and that was just so far. I also knew about the Manson family. That was like so far from these people, because I just had no idea about the cults.

Another former group member suggested:

If there could be any way of instituting some sort of program in the elementary school system or something, where people can get in and maybe discuss this with kids my age, that are 19 or 18.

A young adolescent, who was briefly involved with a group, said:

Yes, I really think [government] should do something about it...people must be aware of what is happening. I didn't know anything about cults and what they really are doing. I have never really thought about what brainwashing was -- something like that. But I now really think it is important that all people in some way could be aware of what is going on. I mean, any people can get stuck there and I think it is really important to make people aware of this.

The father of a teen-ager, involved with a group, supported courses being developed for schools and suggested that they be made a part of:

what we call the core curriculum, that is, that every student at least at some point is taught something of the existence of different belief systems, for example. How they might encounter Pied Piper as they walk down the street, you know...

There are courses, such as Man in Society, where it would fit, just drop right in...I think mental health has to be dealt with, basic concepts in the high school...for example in the health part of the phys. ed. and health program, their units on drugs. Well, I hold this information, fore-warning kids about the growing cult phenomena, to be equally threatening. In fact, my son...would say it's more important to him than the drug scene. So yes, I would make sure that it was built into every student's educational program at some point, preferably recurrent.

Concerned Citizens

One citizen with some contact with groups in Toronto felt public education was an important step because it would enable people to make better choices about their involvement in groups. However, he said this measure alone left other serious problems unaddressed.

A lawyer who had brief contact with a small religious group in Ontario felt that education programs:

should be right in the schools, from grade school to high school, to university.

It's got to be instituted somehow into the curriculum, that there should be instead of a religion class per se, there should be like a 40-minute class in a high school, talking about religions, if you want, and then bringing in the area of cults, what they are and what they are doing, citing examples of the processes and the techniques used to draw people into these...

That's the type of information that people have a right to know. We had the drug scene, and we still have it. They've introduced something to the curriculum to deal with drugs. We had the sex thing, we have a health class now to tell people about sex. I think that the cults are probably more devastating than all of those, because it's so prevalent today.

Group Members

Eight group members favoured public education programs. They included members of Divine Light Mission, Mind Awareness, Foundation Faith, IAM, Hare Krishna, and Scientology. In an official submission to the study one group commented:

Although more study needs to be done, more of the information already available must be made available to the public, perhaps even at the grade school level, but most certainly in high schools, colleges and universities.

Government and Private Experts

In this category, a police officer said the Ontario government should undertake a more aggressive educational role in dealing with groups. Similarly, another officer suggested that the Consumer Protection Bureau should be playing a stronger role to protect the public through better education.

The Council on Mind Abuse recommended in its submission to the study that:

The easiest, least controversial, least costly and most effective approach would be a government sponsored program of public education already embarked upon by COMA.

It also said the Ministry of Consumer and Commercial Relations should finance public service announcements on radio,

television, and in newspapers. The Ministry of Education should distribute in the school system information regarding the techniques of mind control.

U.S. Sources

The Jewish Community Relations Council of Greater Philadelphia has stated that public education is of primary importance because of the amount of inaccurate information about the issue.

Young people in particular need to know more about the cults, their tactics, their beliefs, and the issues they raise. Since high school and college students are the cults' prime target population for recruiting, and since so much of this recruiting is done in a deceptive and manipulative manner, education about the cults and their methods can serve as a form of inoculation against entrapment.

Programs of public education must be presented by authorities who are perceived as trustworthy and reliable by the community at large. Although former cult members and the parents of past and present cult members would seem to be the most basic educational resource for such a program, we have observed that many former cult members and parents of cult members do more damage to their own credibility than they do to the credibility of the cults in making public presentations. Altogether too often these talks tend to be hysterical, hyperbolic, and factually inaccurate. Obviously, the intense personal involvement that these people have makes it difficult for them to discuss the issue in a dispassionate and reflective manner. This is understandable, but it does mean that the main purveyors of public education in this area will have to come from elsewhere.

The council encouraged the creation of a central information agency, which would endeavour to develop:

more concise, mass-produced educational materials summarizing the findings of this report and other pertinent information about cults in a simple, readable form. Such materials should be available in quantity and enjoy a wide distribution throughout the community.

The creation of a speakers' bureau on this subject, made up of members of this committee and others who are knowledgeable about the issue. This group might involve parents and former cult members and provide them with training that would improve the balance and effectiveness of their presentations.

The periodic issuance of press releases and back-grounders to keep the community at large and its leadership abreast of relevant aspects of the issue, such as new developments in the areas of law and psychology or reports on the presence and activities of various cults in the Philadelphia area.

Dr. Jacob Needleman, professor of theology at the University of California in Berkeley, considered the most valuable approach to be a long-term educational one. He said people should be educated about religious philosophy and human religious needs in general. Initially, he felt, teachers must be trained to comprehend religious ideas and needs, including the philosophy and history of religion and an understanding of the commonality of many religious ideas. Once that goal was accomplished, courses would be made available to the student population, starting at a very young age.

Dr. Theodore Schwartz, professor of anthropology at the University of California in San Diego, recommended a strong educational approach. He said there now is a void in this area, which both teachers and students need to fill with knowledge about established and new religious groups.

ESTABLISH A COUNCIL, OR PANEL OF (RELIGIOUS) PEERS

The proposals of 13 varied sources recommending the establishment of a council of religious peers differed with respect to such a body's makeup, membership and duties.

Traditional Religious Groups

Rabbi Irwin Schild, chairman of the Canadian Division of the Rabbinical Assembly and co-chairman of the Canadian Council of Conservative Judaism, said:

A panel of representatives of the normative religious groups, including those other than Christian and Jewish, should serve as a board of appeal or jury if a group claims that its religious freedom has been violated. I believe that such a group can be both objective, forthright and extremely careful and sensitive both in protecting religious freedom and in preventing its abuse.

Education Sector

An official of the Waterloo Board of Education said the model provided by current professional groups, such as law and medicine, could be followed in establishing a peer evaluation board for the area of mind development. He disputed the judgmental evaluation conducted by these professional boards and proposed a different procedure:

The kind of peer evaluation I'm talking about is sequential or continual peer evaluation whereby a peer review panel sits permanently and reviews each practitioner and their practice, every five to seven years, whatever number of years you want to set. Legislation has some attractiveness to me, in terms of finding a model of peer evaluation which would be ongoing, and would not be crisis oriented.

The peers would select the peer review panel themselves, and they would set up the process of peer review themselves.

Ex-Group Members and Families

Two parents of group members believed that a panel of experts should be established to determine the authenticity of a religious group. A problem existed, they said, because some groups claim religious status fraudulently in order to take advantage of certain privileges. Such a panel would determine a group's legitimacy and make it publicly known.

One parent felt that the panel should be comprised of people from the major eastern and western religious groups. The other parent would include members representing the legal and medical societies.

Concerned Citizens

A parapsychologist interviewed by the study recommended that a board be established with open-minded doctors, legal staff, psychologists, psychiatrists and psychics. He said this should be a government board with powers to license groups practising in the mind development field and to fine those which are not licensed.

Active Group Members

Eight active members from the Church of Scientology, the Foundation Faith of God, the Unification Church, and Mind Awareness encouraged the establishment of a panel of religious and professional experts to mediate and handle complaints. As one member said:

No government agency, we are assuming, would want the responsibility of sole determination in such delicate controversial subjects as freedom of thought, all those things. Therefore, we recommend

that eight or ten divergent proven community oriented group leaders be consulted regarding any single investigation, should you have to come down specifically on one person -- as a jury -- spreading the responsibility and the judgment.

He described it as the beginning of a self-regulating body, which would elevate the standards of all groups.

The Hare Krishna recommended in its submission that:

As far as the 'new religions' are concerned, perhaps the philosophy, beliefs and practices could be submitted to some board of clergy before incorporation is allowed to insure that there are no harmful aspects to the new religious practices. I can't see how the government can ban any religious practices, but perhaps if there is some very dubious aspect to the operation, then steps for clarification can be made, before they are allowed to operate.

While IAM suggested that an appropriate way for government to involve itself would be to establish "a spiritual groups ombudsman," a person to whom redress of grievances may be submitted, it also recommended:

If any investigatory body be empowered to explore the methods, practices and teachings of any group, that they be a fully qualified, knowledgeable team, well versed in the spiritual, psychological and physical aspects of mind development and the spiritual quest. They ought to be as flexible and as unbiased as possible, open minded to new concepts.

U.S. Sources

Dr. Jacob Needleman recommended to the study the establishment of what he calls a "board of evaluators." These would be highly respected people who would judge various groups to determine whether they had positive values or negative types of institutions. The evaluators would be from

many walks of life. This board would determine which religions have "truth." He said this board should have a moral and religious orientation, and should be able to determine which religions are good, bad, true, or false.

ROYAL COMMISSION OR PUBLIC INQUIRY

The 13 supporters of a royal commission or public inquiry generally argued that a lack of knowledge about the whole subject area and the thriving existence of groups necessitates a thorough understanding about their philosophies and beliefs. Concern was also expressed over conditions within the socio-moral structure of society that have contributed to their growth. Respondents said an in-depth inquiry would answer some of these questions as well as enlighten the public.

Community and Social Service Sector

The Chatham-Kent Community and Family Services agency described the deteriorating condition of family life in society.

Our experience in counselling families in distress, leads us to conclude that the family's decreasing ability to meet the various needs of its members is alarming. It is easy to see why emotionally impoverished persons can easily get engrossed in various groups such as those indicated above where they appear to be loved and accepted.

Consequently, they recommended that:

the Government of Ontario appoint a task force to study the state of the family in Ontario and develop plans to strengthen family life.

Ex-Group Members and Families

Six persons expressed concern about some alleged illegal practices of groups, claiming these practices infringed on individual and societal rights. Most said an in-depth inquiry should be undertaken by the government. However, one informant stated the police should conduct an investigation. Frequently, beliefs and practices of these groups were suggested as the focus of any further study. However, a former group member said a study was required "to identify the perceived needs that attract young people to the cults, mind development groups etc., which are not satisfied in the majority culture."

Concerned Citizens

One citizen said the alleged violations committed by cults, sects, new religions and mind awareness groups were serious enough to warrant a full-scale investigation with subpoena powers. It was felt that security risks to the government were posed by one group. He claimed that these groups were concealing many illegal actions in Canada.

Active Group Members

Only two group members from IAM and Transcendental Meditation encouraged further investigation to produce firm evidence of harmful group activities before making recommendations.

Government and Private Experts

Two police experts urged a greater study into the problems involving groups. One officer said:

I think this is one of the only ways you are going to look at anything that is of any value...If you have a public inquiry, and you say okay, we want you to come forward, they'll come forward, there is no doubt about that. They'll bring you all their corrections and all their PR stuff, there's no two ways about that. If a public inquiry was called for, I think it would clear up a lot of problems. If it is not called for, if there isn't a public inquiry, I think you are giving them a licence to operate, I think you are going to find it much more difficult in this province in the future.

He also felt that the inquiry should encompass all groups, including those "who use mind control techniques" as well as new religions. He also said a public inquiry "would clear the air" regarding groups who use these techniques.

Similarly, COMA said it supported:

the need for a public inquiry for the purpose of breaking through the secrecy surrounding the actual practices of the controversial cults and groups.

U.S. Sources

The Rev. Dean Kelley, speaking for the American Civil Liberties Union, said only alleged criminal activities can legitimately be investigated:

If the required threshold of evidence exists to justify a criminal investigation, including the use of subpoenas and search warrants, then a claim of religious freedom should not insulate a group or organization from such an investigation.

On the other hand, constitutional standards, including the required threshold of evidence, that normally govern criminal investigations must not be lowered when the object of an investigation is a 'cult' or other unpopular group whose beliefs the majority may find bizarre or repulsive. American history is replete with unconstitutional governmental investigations of unpopular political or religious groups on a basis that would not justify the investigation of more traditional political or religious groups.

...Their unpopularity, even their apparently bizarre character, cannot alone justify government inquiry. Hard criminal evidence is required of the same kind and to the same degree as would justify a criminal investigation of an established political or religious organization, or indeed of any individual or group.

...What should govern a decision to launch an investigation is evidence of criminal or other illegal conduct, not the content of a belief system, or vague suspicions of criminal conduct that may be based in part on fear and unpopularity.

AMEND EXISTING LEGISLATION

Twelve recommendations to amend existing legislation were received.

Traditional Religions

The Ontario Conference of Mennonite Brethren Churches was the only religious group favouring possible amendments to existing legislation. But they had grave reservations.

The Criminal Code is presently adequate for intervention against unacceptable practices of religious sects and cults. However, further investigation of [a mind development group in Toronto] and similar cults might, and I emphasize might, warrant amendment of the applicable regulation and legislation.

Health Sector

Only one organization in the health sector favoured amendments to existing legislation. On behalf of the Ontario Society of Clinical Hypnosis, Dr. George Matheson said:

The current Hypnosis Act of Ontario provides little protection for the group attender. It serves more to restrict the qualified professional or the general benign lay practitioner, than to restrict the nonethical users. Adequate enforcement of this Act requires that investigations be made and charges laid against those who, while denying use of, in

fact are employing obvious hypnotic techniques. The dangers of this use or misuse by groups and sects is that they can and will use them in coercive ways for harmful or fraudulent purposes ...The current legislation and its enforcement particularly in this area needs to be reassessed so that it may provide for more appropriate investigation and prosecution.

Education Sector

Representatives of the Waterloo County board of education approached the topic of legislative solutions with "grave reservations." They feared groups would have scope for abuse if left unregulated and felt some system of governmental balances and checks was required.

In some instances, it was felt that present legislation was not adequate in dealing with the type of problem created by cults, new religions, sects, and mind awareness groups. In these cases, amendments to existing legislation were suggested to tighten loopholes.

Ex-Group Members

Six former members recommended that the Hypnosis Act be revised and modified. A former member, reported to have suffered a severe nervous breakdown as a result of her association with a mind development group, said:

...There's also a law in the Province of Ontario on the illegal use of hypnosis, which evidently is useless in its present format, and that should be updated and revised so that there's significantly more clout.

She also asserted that some group course techniques were analysed by qualified and well-respected hypnotherapists

as being hypnotic induction. This statement was supported by two other ex-members.

Another former member had this to say about the Act:

It seems that the Hypnosis Act must have been formulated to prevent the danger of stage hypnotists coming into town and saying they were going to hypnotize people who volunteered, and then leave town, leaving people in a state of hypnosis. It was only designed to stop people who were not qualified to say verbally that they were... going to hypnotize somebody. But it has loopholes, as there is no definition of hypnosis. Therefore anybody can say what they're doing is not hypnosis and there is no way the law can cover them. I think it should and could be modified and I am sure there are experts in hypnosis who could modify it.

Concerned Citizens

Three recommendations were made by concerned citizens for improving legislation. One person recommended improving the Hypnosis Act and one wanted improvements in the Medical Practitioners Act. One man said he was a victim of past harassment while in an administrative position for the Canadian Mental Health Association. He said:

There is enough [legislation] within the Criminal Code. What worries me is, I guess, the legislation in the whole mental health field is very loose and in fact there is nothing in the legislation to prevent me or a man in the street going out, putting up a plaque and saying, 'I am a social worker involved in family counselling and marriage therapy. You can come to me and I will provide you with care.' Indeed, once you get into the area of actual therapy, it's very, very weak and I think that the government should develop some kind of standard, not to prevent the quack from setting up a practise but at least letting the public know when they walk in that door, this may or may not be a quack.

A lawyer with an interest in civil liberties suggested the following:

I would ask you to consider whether an amendment to the act governing medical practitioners might not be a useful technique if it provided a prohibition and an offence for anyone using pressure techniques, including brainwashing or hypnotism to cause or attempt to cause a change in beliefs, with the exception of medical doctors.

A lawyer who had counselled a family, some of whose members belonged to a new religious group, also recommended that the Hypnosis Act be amended.

NEW LEGISLATION TO PROVIDE FOR FINANCIAL ACCOUNTABILITY

Twenty-eight respondents supported the recommendation for new legislation to provide for financial accountability. Many said stringent controls would curb the potential problem of groups' irresponsibility in this regard. Accredited auditors now examine the financial records of many traditional churches and these records are available for public scrutiny upon request. Some respondents felt, however, that there was limited public access, if any, to records kept by groups. They asserted that whenever money is gathered from the public, information about how it is spent should be made available to the public. A number of other recommendations called for the taxation of all religious organizations. Since many religious groups are engaged in commercial activities for profit, it was felt that they should be taxed as are business enterprises.

Universities and Scholars

Dr. Reginald Stackhouse, principal of Wycliffe College at the University of Toronto, said:

The extent to which the state has an obligation in this area traditionally has been within such parameters as safety of a person, freedom of a person, maintenance of public order, respect for the rights of citizens to use public facilities without interference, etc. The state has also exercised jurisdiction over religious cults, like any other society, in terms of building codes, planning codes, etc. Freedom of religion does not mean freedom to do anything that the adherents to a religion wish. We are obliged to respect certain limitations upon us regardless of what our religious beliefs may encourage us to do.

However, in the present situation, I infer there may be some suggestion that the state should go beyond these parameters. My own reaction is to say that the state would do well to be more active within this traditional frame of reference.

I think it is quite possible the social good would benefit from further state supervision of financial records and accountability of religious societies. If the actual income and expenditures of the various societies could be audited by the state, possible financial exploitation might be discouraged.

None of the above would suggest that the state should interfere in the actual 'religious life' of the various cults, etc. It would be very difficult, I believe, to justify this, or even to carry it out in a practical and beneficial way. The 'cure' might well be worse than the 'disease.'

In a pluralistic society, it is necessary that all of us have the right to the religious life of our own choice. It is also necessary that such rights be protected by the state against aggression from other movements. But the state has always claimed the right to maintain public order, to prevent fraud, exploitation, or other offense. I believe that the state now has sufficient power and authority to guard people against abuses by religious movements. If particular authority is lacking, legislation can be phrased that would not mean a philosophical departure from what has been traditionally accepted. In my judgment, the freedom of a religious movement is not challenged by a state that requires its authorities to account suitably for financial management.

Traditional Religions and Religious Leaders

The Joint Community Relations Committee of the Canadian Jewish Congress held that groups, given their tax exempt status, should account for their financial obligations.

It appears that the mind bending cults are in certain circumstances able to avail themselves of contributions. It is recommended with respect to federal, provincial, and municipal taxation authorities that sufficient information be required from such groups to determine whether tax exempt groups make proper use of their tax exempt income. It is also recommended that the authorities establish the proper and adequate criteria for establishing and recognizing a bona fide religious and charitable association.

A Protestant minister, corresponding with an Ontario MP, said the only legislation necessary might be the introduction of proper fiscal standards and controls. "This should at least go a long way to ensure their integrity is no worse than the orthodox churches (United, Roman, Anglican, et al)," he wrote.

The Scientology people really do not do anything that much different than the years of catechism and indoctrinism classes conducted by the Roman Catholics or the cloistering of men and women as monks or nuns.

...It is just that somehow the activities of the established churches is no longer that suspect generally -- they are 'established.'

No government should make the mistake of thinking that religion or religious rites are above the law. They are not. One of the government's jobs is to legislate law and law can be flexible enough to tolerate individual differences so long as the 'general welfare of society' or the 'well being' of individuals is not hurt.

A rabbi suggested the following:

I assume that these cults and religious sects have certain tax privileges and this is probably the best means of regulating their activities. While I realize that freedom of religion is a sacred thing it ought not be a privilege that is abused through illegal fund raising activities, as well as moral corruption, especially of the hyper suggestible young.

Community and Social Service Agencies

The Community Appeals Review Board of Brantford and Brant County expressed concern about the various fund-raising practices of some groups, which in the past have brought crews of canvassers to Brantford seeking donations. Their experiences led them to recommend that:

- a. There should be criteria and/or controls to ensure proper disclosure of an organization's purpose as a condition of conducting an appeal and that consideration be given to defining what is charitable.

Since so many 'charitable' groups are in fact 'churches' or are 'religiously oriented' perhaps they should be given a different tax exemption, one which would acquaint the public more readily with the nature of the organization.

- b. There should be better financial accountability to the public than is provided by the present charitable organization number which is used to imply that everything is legitimate.
- c. The Government of Ontario should consider enacting enabling legislation that would permit municipalities to regulate appeals, with particular reference to preventing the hit and run type of fund raising that is conducted by non-local organizations. Alberta has legislation of this nature.

A minister, an experienced counsellor with the Addiction Research Foundation in Windsor, learned about sects, cults, new religions, and mind awareness groups while working on a 'street program' counselling drug users. He commented:

I think it is very difficult for the government to be involved...with religious institutions...

I think that we cease to be a democracy if government starts intervening in the private beliefs of an individual. At the same time, having said that, I believe the only area that the government can really involve itself is the whole area of financial matters...

I believe no religion, not even the traditional ones, should solicit funds from the general public other than their own membership.

I honestly feel that if churches were taxed in the short run, it would be very disastrous; but in the long run I think the church would win...I am certainly not against taxation...But I do believe that the government would do well to sit down with the leaders of the religious movements within Ontario.

This whole area of church and state is a very sensitive issue but at the same time I think you are absolutely correct when you say that the larger churches would open their books and do open their books to abide by the accounting systems. Sure, all of our books are audited by bona fide auditing companies, but I'm not sure that applies to smaller more fringe group types...

A church's tax category could be based on the amount of work in the larger community that the group is doing. There is an accountability factor there. You know some of these new religious groups claim that they are doing a tremendous amount of social work. Now whether they are or whether they aren't has probably never been substantiated or even investigated, and yet what they tell you at the airport when they solicit your funds, or on the streets of Toronto when they sell you the flowers, is that it is for charitable work...It's the old criticism of the Red Cross or any charitable group that is taking money from the public for charitable work: Is the money getting to where you say it's supposed to be going? With the larger groups like Red Cross or the Unitarian Service Fund or any of these larger organizations, we do know what is happening with that money. It is under public scrutiny.

Ex-Group Members and Families

A doctor, formerly a member of a mind development group, said:

I think [government] should be looking at the organization plus its affiliated companies... and I think number one, what should be looked at is finances, and a very, very critical analysis of what the funds are being used for, and who makes the decisions about the expenditure of funds, and I think that would get away from individuals taking funds and using it for things like astroturf for cars, or you know, things at their own discretion.

A former member of a mind development group, now a peace officer, felt it was difficult to conceive of new legislation but said:

A lot of these organizations are tax exempt and most religions are tax exempt. I'm in disagreement with that. I think they should be taxed like anybody else. I think that's one legislative avenue that should be investigated...I don't think any religion should be tax exempt.

Similarly, a mother whose child is a member of the same movement made the following recommendations:

That anyone applying for tax exempt status be thoroughly investigated before and after receiving a number in order to ensure that they are complying with the rule.

That the governments of the province and the federal government not be so lenient in handing out these numbers.

That these groups who receive a tax exempt status must have detailed proof of sources of income, receipts issued and disbursement of their funds to their charitable activities.

You see I maintain, maybe wrongly, maybe rightly... 1500 years ago...churches certainly needed some form of tax exempt status, because in those days, they certainly did run the orphanages, they certainly did teach the schools, and they ran the hospitals, and we needed them, and for that reason, it was a very good thing. However, the government has taken over the orphanages, the schools, and the hospitals. So what do they need this tax exempt status for anyway? You know, what are they doing with it?

Another parent of a child in the same group said:

As a minimum, my own view is that groups of this kind should be required to expose their financial position and practices, and subject to some form of supervision in terms of their practices.

Still another mother whose son became a member of a movement said:

At least some of these organizations are in existence to earn money as the primary objective and the religious aspects of it tend to be secondary... You get cheap labour, you don't pay taxes, you can invest money assuming you've got a healthy economy, you can increase the worth of that investment very, very rapidly versus any other way of doing it in a business sense. For example...and I'm only going on what our son said, [one particular group] is in the candle business, they're in business selling incense, they're in the book publishing business.

...If you read about some of the other cults, again they've all made major investments. I conclude that the government does have the right to oversee and hold these organizations to account and I'm not able to give you -- you make the judgment between the two kinds, the legitimate and the illegitimate but if it's illegitimate, I think that there should be a way of the government saying, 'this is a business,' and that would change a lot of things...

Question: So it's in terms of the business aspects of the operations that you would see a very clear government role?

Yes. I think it's very tough for the government to say there are different categories of religions.

Question: Do you think all churches and religious institutions should be taxed in their secular activities?

I think there's more of a case to be made for that than there ever was. I think that there are quite a few religious groups now that take advantage of investment opportunities and I think I can distinguish between those and paying municipal taxes on the church itself.

Question: Beyond taxation should their books be opened?

I think that's a part of what would have to be done. If they're able to claim to operate as a religious

organization or as a charitable organization, they should be in the position of having to have full books and those books should be open to inspection. Otherwise I don't know how you can be sure of anything that they're doing.

Active Group Members

The executive director of the Foundation Faith of God submitted a brief to the study with this recommendation:

Misappropriation of funds: that Ontario organizations representing themselves as charitable or religious maintain strict financial accounting and file annual reports open to public scrutiny.

A Hare Krishna member and a Unification Church member favoured financial disclosures by cults, sects, new religions and mind awareness groups.

Government and Private Experts

Two police officers urged some action in the area of financial accountability. One officer said tax laws should be reviewed as well as the status of religious organizations to determine whether they are bona fide or simply money-making groups.

A religion editor for an Ontario newspaper said:

I think, personally, their books ought to be available to reporters, to the public, just...as a local Anglican church or the Anglican Diocese is.

It seems to me if a body is going to assume the privileges that go along with being a charitable organization, that this is one of the things they owe the public. I mean, the Roman Catholic Archdiocese of Toronto, only within the last ten years or so, began publishing an annual statement for everybody to look at, but that's now common practice -- the Salvation Army and so on...My own private opinion is that no churches should get tax exemption, no religious bodies, but if you are going to give it, it seems to me that the public has at least a right

to know something of the financial arrangements going on within that group.

A former Canadian deprogrammer who had worked in the field for many years made the following recommendations:

I would say, two things you can do. First of all in Britain, if you were going to be a charitable organization, have tax-exempt status, enjoy the privileges that that entails, then you present your books annually for the public auditor. If you fail to do so, you automatically lose your status. Secondly, now I know a lot of churches would scream at me for this, but I think it's necessary...Let's bring it back to the source. We are dealing with men who have started organizations for their own benefit. The reason these men have chosen to use a religious facade is because it affords them all kinds of tax protection as well as being, you know, socially acceptable. More socially acceptable than, say, Holiday Magic Cosmetics which was a rip-off, too. If a church or religious group is involved in commercial activities or if they make candles to sell, or if they own ammunition factories or whatever the case might be, those commercial activities should be taxable the same as any private enterprise. If they own real estate, such as this office building, say...If you want that property, you pay real estate taxes the same as anybody else.

If you have a place of worship -- a legitimate place of worship, not a house that, you know, three people sing songs there twice a week -- if you have a legally constituted religious organization that holds worship services in a legitimate place or carries on some specific ministry, like the Scott Mission, in a particular location, okay, that can be tax exempt... No problem with that. You've got the church buildings, fine, tax exempt. If you want to say the preacher's house is part of the church facilities because the Roman Catholic Church builds houses in the back end of the church, fine -- say the preacher's house, too. But anything aside from that, commercial properties, investment properties, should be taxable at the same rate as anybody else.

The deprogrammer felt there was little else the government could do for fear of infringing on personal liberties. Some groups would just have to be tolerated because religion could not be defined to rule out groups. He continued:

Hopefully we want to maintain our kind of society. On the other hand...what are the main concerns that we have? Here we are going to have to differentiate between those which become mind development groups. That is a whole other bag again. But we are talking particularly [about] religious organizations -- those organizations which become 'religious' because it is convenient... If you take away the incentive for becoming a religion, if you have a law that says, 'O.K., if you are going to be a religious organization, your funds have to be accounted for and your books have to be audited. You have to present to a public auditor details of your books. If you want to give your money to the missions or whatever, you know the government is not going to interfere with that.' You've got some form for groups who legitimately say, 'where is that money going to?' to get an answer. Like every legitimate organization I support -- we have friends who are missionaries overseas and we send them \$10.00 a month. It's not much but we do it. Automatically, every year that mission organization sends us an auditor's statement...It is a summary obviously, but it shows roughly where the money went. This much to support, this much for office expenses, this much for travel, whatever. If I want I can go to their headquarters and I can look at their books.

I work for a religious organization right now. If you say, 'I want to look at your books,' the policy is that you are free to set up an appointment with the accountant and go in and you can go through their books. We are there to serve the public and we have nothing to hide, that is how they look at it. The legitimate ones that I am involved with do that automatically and if you have nothing to hide you have no reason to worry about it. If you have something to hide, you are going to squawk like blue murder.

A private member's bill was drafted by John Sweeney, a Member of the Provincial Parliament, to monitor and regulate the activities of groups. The proposed legislation provided a mechanism for identifying groups that might pose a danger to the mental health of their followers. While no attempt was made to define the groups in question, various requirements for groups were outlined. They included:

The manner of financing the cult or group, including a statement indicating the sources and application of funds used by the cult or group.

Every designated cult shall, within 60 days of the end of each calendar year, file a report with the Minister giving full details concerning the financing of the cult or group during that calendar year, and the report shall list every payment made in that year to the cult or group by a member and the amount of such payment.

U.S. Sources

Dr. Theodore Schwartz, a professor of anthropology at the University of California in San Diego, who has studied groups for the past 25 years, recommended to the Ontario study that the secular and business activities of all religions should be regulated, but he urged that government avoid questions of religious belief. He also said those churches and new religions involved in businesses -- laundries, lotteries, and real estate -- should be taxed and dealt with like any other business. He added that laws used to regulate non-profit organizations should be applied to churches.

Similarly, Dr. Jacob Needleman recommended that religious institutions should be taxed and that the government should make certain that any business run by a religious institution is legitimate.

Recommendations in the same vein were made to the State of Pennsylvania by the Jewish Community Relations Council of Greater Philadelphia:

Tax-Exemption: We support the continuation of state and federal tax-exemption for religious and other non profit groups. However, we believe that the

Internal Revenue Service and other local taxing authorities must be far more diligent than they have been previously in their investigation of cult finances and in their response to allegations that tax regulations are being violated by tax-exempt groups.

We urge that existing tax regulations be reviewed by both taxing authorities and the legislative committees that oversee them to determine:

- 1) whether sufficient information is now required of tax-exempt groups to make a proper evaluation of their use of their tax-exempt income;
- 2) whether current regulations adequately define potentially improper or abusive uses of the exemption privilege; and
- 3) whether the statutory, financial, and human tools given to tax authorities to enforce tax regulations are adequate to prevent abuse and correct improper practices when these are uncovered.

As a matter of principle, we believe that all tax-exempt non profit groups, including religious groups, should be required to disclose at least the basic outlines of their financial situation to the public as one of the prices they pay for the exemption and deductibility of contributions. Those disclosures may not affect the way in which religious groups allocate their financial resources, but they do give potential contributors a reliable source of information on which to base their money-allocating decisions.

We received from the Attorney General for the State of Illinois an example of legislation to regulate charitable organizations in effect in that state.

In the foreward to the Illinois Act passed in 1961, Attorney General William J. Scott outlined the purpose of the Act:

First, it provides the Attorney General with the information necessary for him to oversee the collection and dispersal of the Illinois charitable dollar.

Second, it provides the public with a central source of information on the fund raising, administrative and other expenses of a charity. They can also

obtain an idea of the scope of the charity's operations. This information allows the Illinois citizens to intelligently determine whether a charity is worthy of support. Unless the donor has personal knowledge of the charity and its activities he cannot know what portion of his dollar will serve the intended purpose and what proportion will be paid to professional fund raisers or used up in administrative and fund raising expenses. The Illinois Solicitation Act makes this information accessible to the public.

The information on registered charities is readily available to the public. Anyone interested in the status of a particular charity can call the Division of Charitable Trusts in either Chicago or Springfield. The registrations and annual reports are public information and may be inspected in my office during ordinary business hours.

The Attorney General pointed out that under this current act religious groups are exempted from the financial reporting requirements which other charitable organizations are subject to. However there is now a bill before the legislature to revoke this exemption and introduce such accountability.

NEW LEGISLATION TO PROVIDE FOR THE PROTECTION OF MINORS

Fifteen respondents recommended new legislation to provide for the protection of minors. Most expressed concern about alleged undue interest of groups in proselytizing among minors who, it was felt, were unable to exercise rational judgment when exposed to the pressures of certain groups.

Universities and Scholars

A professor at Emmanuel College, the University of Toronto, said the personal beliefs of an individual should

not concern the government. However, he said the behaviour manifested by these beliefs warrants concern.

When a group distributes candy and baked goods to kids without asking explicit and express permission of the parent, that's definitely a potential danger. To a kid, for instance, who doesn't really know, let's say a three-year-old who doesn't know that he's diabetic.

...You can't legislate against that but...at least it should be examined...I have no legal background in my training but it would seem to me as common sensical that when it is part of a group's practice to proselytize among the very, very young that certain behaviours would not be permitted. We have all sorts of laws that...if you engage in them as an organized social activity, you are breaking the law.

...Beware of doing too little or too much. But something is to be done, if for nothing else, for the protection of children.

Traditional Religious Groups

The Joint Community Relations Committee of the Canadian Jewish Congress and B'nai B'rith made the following recommendations:

It is recommended that the Special Advisor consider prevention of quick transfer and transporting of young children who are minors from Canada to the U.S.A., and vice-versa, through reciprocal legislation involving, where applicable, respective Children's Aid Societies.

In case of a minor who has been removed from parental access and isolated from contact it is suggested that the Special Advisor consider special legislation for the protection of the child by the parent or by interested persons in loco parentis and that he consider the right of a person standing in loco parentis to make a claim for such mental and physical damages on behalf of such persons which have been the result of cultic experience.

Rabbi Irwin Schild of the Adath Israel Congregation in Toronto responded to the study as Chairman of the Canadian

Division of the Rabbinical Assembly and Co-Chairman of the Canadian Council of Conservative Judaism. His opinions, however, do not constitute an official position of these two organizations.

Groups which encourage the removal of minors from parental custody and control should likewise be scrutinized and if necessary, restrained in their activities.

Similarly, another Toronto rabbi said, "Any effort on the part of cults to indoctrinate minors against the wishes of their parents ought to be controlled."

Education Sector

A psychologist for the Waterloo County Board of Education reported on discussions with staff who had contact with mind development groups, or knew of people who were involved in groups. He recommended:

As a psychologist in an educational setting I share many concerns expressed to me by administrators, parents, and teachers of our system. Safeguards of some nature are obviously necessary to protect not only the general public but also the adolescent who is in the process of formulating his/her value system, self development, and attitudinal structure.

An official with the Oxford County Board of Education said:

I certainly see two or three things that I think can probably be controlled by legislation or regulation. One is the direct approach to people below the age of 18. I think you've got an extremely susceptible group in the 14-, 15-, 16-, 17-, 18-year-old range and I don't think those individuals can withstand the kind of pressures being exerted by these groups...I think there can be legislation passed as there would be in any other malady to come along. I won't argue philosophically the distinctions between sects and cults, and what have you, but I think when it gets to the point where: one,

any kind of physical encounter is involved; two, any kind of drug or substance which affects the body is involved; three, where any kind of treatment which smacks of physical intimidation, i.e. lack of provision of water, lack of provision of food, over provision of any type of food, forceful swallowing of any kinds of substances, of radical changes in temperature exposure or any of these physical types of things to which people are exposed by various treatments...I think I'm making the message clear. These kinds of things, to me, are not the kinds of things that should be permitted. I don't object to any person with any kind of views speaking to my children under 18 if I'm there, because I think we can counter-balance any arguments. I object very much to any of my children under the age of 18 being exposed to half a dozen people with a particular bent against my will and particularly if it involves any of these things we're talking about which very often is the case.

Ex-Group Members and Families

One mother said groups should not be allowed to recruit people under the age of 21. A woman whose brother belonged to a mind development group and suffered an emotional breakdown, said a person may be legally considered an adult at the age of 16 and still may lack worldly experience.

I don't think groups such as those should be allowed to take children. I don't think anybody has the right to twist the mind of a child. I think it should be left to develop on its own or the people who care about them, rather than any group.

Another mother whose child belonged to a group suggested that:

if they have minors in their care, they be regularly checked by the Children's Aid Society for any evidence of abuse. That in the event that they break the law, they be subject to the full penalty of the law, and are not treated with leniency because they claim religious persecution. No ordinary citizen is allowed to act in the same manner as these groups, nor should they be allowed to.

Concerned Citizens

An administrator with the Family Service Association of Metropolitan Toronto expressed his personal view:

I will not even allow a social worker in our agency to get involved in a therapeutic relationship with a youngster, 13, 14, 15 years of age, unless I've got the parent's approval and authorization, because when we start working with a youngster, we are working with the mind too. My feeling on a minor, you are maybe doing it in a positive and helpful way, but you are interfering in the course of that person's life -- they may be going downhill and you have decided to interfere, move them up. You can't do that with a minor without their parent's approval.

Therefore, I would have strong feelings against a cult getting kids at 13, 14, 15 years of age involved without the parent giving their approval. In fact, I would go so far, probably, as to say that I am wondering whether the Child Welfare Act ...might be used to protect youngsters at risk and being abused psychologically. I know it's not that clear cut because there are a lot of 15-year-olds who, for all intents and purposes, are 17 or 18.

Active Group Members

A brief submitted by the Foundation Faith of God proposed:

That minors be given psychological counselling only by those approved by their parents or legal guardian.

That minors be allowed to join or live in religious or allegedly religious communities only with the consent of parents or a legal guardian.

A member of Scientology commented:

If you're worried about the children, which I think is the problem...maybe if you are under 18 you have to have your parents' consent. I think we have to hope that by the time they are 18, they are intelligent, or at least capable enough to vote and make some kind of rational decision.

Government and Private Experts

A private member's bill introduced by John Sweeney, MPP, advocating the regulations of cults and mind development groups, would have prohibited:

A designated cult or group from permitting persons under a specified age from participating in the activities of the cult or group, and specifying a minimum age for that purpose.

U.S. Sources

Dr. Theodore Schwartz recommended to the study that a minimum age of consent be determined to prevent youngsters from committing their lives to cults.

Dr. Jacob Needleman proposed an 'age of consent' concept whereby a cult could not take members into their group below the age of 18, or whatever age was determined legally acceptable. He suggested that, as in the case of marriage, a young person not meeting the minimum age requirement would require personal consent in order to join a group.

Based on its experiences with the problems posed by new religious groups, the Jewish Community Relations Council of Greater Philadelphia encouraged more stringent enforcement of U.S. state laws dealing with minors.

Child Abuse/Harboring of Minors: Again, these are areas where law enforcement and child welfare authorities have often shown a great deal of reluctance to actively investigate and otherwise act on complaints because of the religious nature of the groups involved. In most localities the statutes dealing with child abuse and the harboring of minors are quite clear. They should be enforced, no matter what kind of group is involved.

NEW LEGISLATION TO PROVIDE FOR THE REGULATION
OF SOLICITATION AND PROSELYTIZING

Many respondents who made the 18 recommendations for new legislation to regulate solicitation and proselytizing said canvassers often did not or would not properly identify themselves or give their reason for soliciting funds. In addition it was sometimes claimed that methods of proselytizing were deceptive and concealed the true nature of the organization involved.

Universities and Scholars

The three responses in this category were all supportive of legislation in this area. Dr. Reginald Stackhouse, principal of Wycliffe College at the University of Toronto, said:

...There is much soliciting on the streets which I think should be looked at critically....In my judgment, the freedom of a religious movement is not challenged by a state that requires its authorities to account suitably for financial management, to avoid undue interference with the rights of people in public places, to use public places for unjustifiably aggressive proselytizing.

C. Douglas Jay, director of the Toronto School of Theology, said:

My judgment is that the law should provide for public accountability with respect to any claims made in the course of soliciting funds, with particular respect to a clear acknowledgement of the identity of the organization, the purpose for which the funds are solicited and provision for a recognized audit. The public should also be protected against aggressive solicitation on the streets.

However, he felt that other unfavourable practices should be left to the pressure of public opinion because of the difficulty of legislating in this area "without infringing on the legitimate rights of well established and respected religious groups and others engaged in the legitimate exercise of persuasion."

A sociology professor at the University of Toronto stated the government had no business interfering with beliefs or spiritual practices among consenting adults. On the other hand, he objected to some methods used to entice people into groups, because an element of false advertising was occasionally involved.

Traditional Religious Groups

The Joint Community Relations Committee of the Canadian Jewish Congress and B'nai B'rith submitted the following comment:

It appears that cults and like groups and individuals representing them often use multiple 'front' names. It is recommended that the Special Advisor consider a requirement for accurate public and visible identification of such groups and individuals for all purposes including solicitation of funds, presentation of educational programs, etc. and the possibility of penalties for solicitation for causes without revealing proper identity.

It is further recommended that the Special Advisor consider selective licensing for individuals who act as street solicitors to collect funds for the said group.

Rabbi Irwin Schild of the Adath Israel Congregation recommended:

The state should attempt to regulate the practices of cults, sects, and mind development groups to

the extent required to protect the individual from fraud and extortion. This does not legitimate censorship or regulation of religious teachings, doctrines, dogmas and philosophical positions. The state may outlaw the practice of bigamy to protect individuals, without proscribing the teaching that bigamy is morally or religiously right. Individuals should be protected from being fleeced by religious practitioners, just as we protect them from quacks peddling snake oil for medicinal purposes. Solicitations of financial contributions, and coercion to solicit financial contribution from others -- especially if these funds flow into the pockets of individual cult leaders without redeeming social purposes -- should come under the scrutiny of the state.

Continuing, Rabbi Schild elaborated on his personal philosophy regarding state intervention:

In a free society, different rights and freedoms are often in conflict with each other. The rule of law generally tends to restrict the exercise of full freedom. Anti-hate laws circumscribe the freedom of speech, and anti-discrimination laws in housing...infringe on a person's right to use his property as he sees fit. To champion human rights abroad clashes with the doctrine of non-interference in the internal affairs of another country.

It is the challenge and the burden and the glory of democracy that, having the courage of our deepest convictions, we must exercise our faculty of judgment on the basis of our own moral principles, common sense, tolerance, and good will. We cannot always assume a non-judgmental stance and ignore the difference between right and wrong, subjective as such a distinction may be. The protection of the young, the weak, the disturbed, takes precedence over our mandate not to interfere with the exercise of what anyone calls his religion. Freedom of religion, like every freedom, cannot be absolute.

An Anglican minister wrote to a Member of Parliament recommending various methods of control and accountability that could be applied to groups, including restrictions on solicitation. He emphasized that:

No government should make the mistake of thinking that religion or religious rites are above the law. They are not. One of the government's jobs is to legislate law and law can be flexible enough to tolerate individual differences so long as the 'general welfare of society' or the 'well being' of individuals is not hurt.

Community and Social Service Sector

The Community Appeals Review Board of Brantford and Brant County described in its submission some soliciting methods frequently practised by certain groups on city streets:

We are concerned about the fund raising practices of some of the organizations that are the subject of your study. Organizations bring a crew of canvassers to Brantford to stand at street corners or at the malls seeking donations to aid their work. The passerby is usually told that his contribution will assist in youth work with drug addicts, etc. Sometimes they give out a flyer. Some organizations have their people go door to door selling records or books. The philosophical purposes which are basic to these groups are seldom put up front. The canvassers are usually young men and young women who are members of the group and beneficiaries of the funds raised. Many times a residence of some kind, usually communal, is involved.

An official of the board said in an interview:

...If they are going to come out and solicit on the streets -- and we don't want to have a law that says you can't solicit on the streets -- then at least the rest of society ought to know who they are. Why they are soliciting, what the money is going to be used for, and that the individual who donates then knows he has a minimum amount of information that will allow him to make a proper kind of decision about giving. I think it's our whole point, it's the point of United Way. United Way is saying to the community, if you support these agencies that are in the United Way, you know that they have at least been reviewed, that they are meeting some need. A whole vetting of their organizations has been done by a community group that you can't take the time to do. You have that assurance. With that kind of information, then you can make the decision whether you want to give or not. CARB says, we really think

that kind of information ought to be there about anybody that is fund raising...I think you see it in Toronto. Somebody can play a guitar and put a hat down on the ground and people know exactly what the situation is. If they want to put a quarter or something in, that's their privilege. But when the person starts what is really fraud and saying, 'Hey, we want money to provide services to a particular segment of society,' then I think we have the right to know what service, who are you serving, who is providing the service.

A counsellor and street worker with the Addiction Research Foundation in Windsor also supported the regulation of soliciting:

I certainly think they should control soliciting on the streets. I believe there should be hard laws on that and if it affects more traditional groups, then that is too bad. I don't think you can rile one group and not another group. I just detest it. I hate when people ring my door and ask me for money -- and that is only a personal opinion, but I project that to what I have heard many, many other people doing.

Ex-Group Members and Families

A former group member said that groups

...should be prevented from accosting people on the streets, persistently, and luring them or enticing them on the false pretext of offering some free personality test. These individuals are then subjected to a barrage of high pressure sales techniques to get them to sign up and take courses and so-called processing. This form of psychological intimidation and harassment is a form of soliciting and is totally repugnant and should be stopped.

A mother whose daughter had a brief encounter with a group felt very strongly about street soliciting:

I believe such organizations should be forced to reveal their identity to possible recruits and when fund raising. I believe that fund raising of this type -- on the street, door to door -- should be either prohibited or at least regulated.

Parents who said they lost their son to a religious group noted:

Maybe there should be something in the laws of soliciting funds that you have to be completely truthful. That's a good suggestion.

I don't like to see Santa Claus on the street collecting money for a group. At least the other organizations, the Salvation Army and others, identify who the hell they are. There's no subterfuge or deceit. So maybe that's a good point.

Government and Private Experts

A Toronto journalist felt there should be controls regarding fund raising on the streets:

I think that any group that is going to solicit funds on the streets of Toronto should be required to have a licence and the conditions for the licence would be that they use a straightforward sales pitch; that they say who they are. In other words, some kind of consumer-type legislation would be applicable in the case of attempts to mislead the public. But I don't think any Tom, Dick, or Harry -- certainly not any type of organization -- should be able to walk out and start collecting money, whether it's the Blue Nuns from Quebec or whether it's the Salvation Army at Christmas time or so on.

In dealing with the practices of groups, the Council on Mind Abuse made the following suggestions:

Devise legal methods to require high pressure cult proselytizers to identify themselves at an early stage.

Mandatory disclosure to recruits regarding the nature of his or her daily life after joining.

Inaugurate a form of licensing of those groups or cults employing coercive persuasion techniques to secure conversions.

John Sweeney, in his private member's bill, recommended that a group be required to report, "the practices

and techniques used by the cult or group with respect to the soliciting of adherents, the counselling of members, and the nature and content of seminars conducted by the group."

U.S. Sources

The Report of the Senate Committee for the Investigation of Alleged Deceptive, Fraudulent and Criminal Practices of Various Organizations in the State of Vermont, (1977), recommended that the state:

provide regulation of solicitation of charitable contributions which is lacking in present law. This bill would require any charitable organization, before soliciting funds from outside of its membership, to first obtain a license from the attorney general. A license could only be obtained upon provision of certain detailed information about the organization and its activities. The information, which would be available to public inspection, would include information about the organization and the management of the organization both in Vermont and in connection with out-of-state affiliations. Names and addresses of officers, trustees, and agents would be required. Location and custody of financial records must be disclosed. The purposes for which the funds will be used must be stated, including a disclosure of the percentage going to program services as opposed to support of additional fund raising and management. The bill would require organizations to present this information in concise form to the public at the time of solicitation. The organization would also be required to post a bond, and the attorney general could enforce the provisions in courts of law with the option, among others, of bringing suit on the bond. Criminal penalties for violation of the proposed law are also provided.

Similar legislation, requiring the licensing of charitable organizations that solicit public funds on the streets, has been in effect in the state of New Hampshire since 1979 and in Illinois since 1977.

The Jewish Community Relations Council of Greater Philadelphia supported this type of control:

We believe that the government has the right to regulate solicitation and proselytizing activities in public places in order to guarantee that these activities do not become a public nuisance or perpetrate fraud on the populace. However, because this is an area with great potential for abuse and arbitrariness, any such regulations should be scrutinized carefully by the public, and if need be by the courts, to determine whether they are excessive to accomplish these goals.

Among the various possible types of regulation available to a local government authority, we would consider the following to be examples of reasonable practices: limiting the absolute number of solicitors in a finite public space, especially a thoroughfare; requiring solicitors to register with local authorities; requiring solicitors to clearly and correctly identify the group for which they are raising funds; making illegal the recruitment of people or solicitation of funds for groups whose identity is not revealed; restricting proselytizing activities in public schools and on school grounds. This is essentially a local problem and local authorities should be encouraged to tailor their efforts to the unique needs of their own communities.

On the other hand, Jeremiah Gutman, a director of the American Civil Liberties Union, in his statement to the Dole Congressional Hearings, opposed statements to control religious proselytizing.

If I am a member of any church organization, or any organization for that matter, and I meet someone socially and start to discuss a subject and it occurs to me that this person has some interest in an area in which my church or my group has an interest, is the Congress to say that there is some point at which I will be committing a crime if I do not say: 'By the way, I am a Catholic, I want you to know that before I go any further in discussing this issue'?

Gutman asserted that such action would be in violation of the First Amendment of the U.S. Constitution.

NEW LEGISLATION TO PROVIDE FOR THE OVERALL REGULATION OF CREDENTIALS, PRACTICES, AND TECHNIQUES

Forty-nine respondents supported this most restrictive recommendation calling for the regulation of specific practices of groups and movements. The argument supporting this particular measure comes from a strong belief that group activities lack accountability. Many of those familiar with groups assert that group methods can be psychologically damaging. Criticism was levelled at the inability of present laws to deal with the "brainwashing," "hypnosis," and psychological abuse allegedly practised by some groups. As a result of these complaints, proposals were made for the provision of standards to regulate program quality, course techniques, personnel skills, certification, and licensing procedures.

Traditional Religious Groups

Rabbi Irwin Schild said:

Methods of 'mind development' or religious rituals that effectively deprive the individual of his freedom or constitute 'brain washing,' or debase his human dignity in a manner repugnant to a clear consensus of a wide spectrum of public opinion, should be subject to some form of societal control.

He expressed concern for the protection of the individual:

We cannot always assume a non-judgmental stance and ignore the difference between right and wrong, subjective as such a distinction may be. The protection of the young, the weak, the disturbed, takes precedence over our mandate not to interfere with the exercise of what anyone calls his religion. Freedom of religion, like every freedom, cannot be absolute.

An official with the Salvation Army presented his organization's view after intensive study:

We feel that if mind development practices or, conversely, deprogramming activities, can be proved by specialists in these fields to endanger the mental, physical or spiritual health of individuals, then some legal restrictions are necessary through state action.

Such legal restrictions may, to some extent, override individual civil rights and, in the case of minors, the rights of their parents or guardians. However, we believe that religion, as we would define it, cannot but enhance mental, physical and spiritual health. Therefore...we would state that any such legislation could not impinge upon freedom of religion.

Similarly, a committee of the Board of Congregational Life of the Presbyterian Church in Canada expressed concern about state restriction in the area of personal belief, and urged that:

the State be restricted only to such measures as will assure the freedom of others of different persuasion to enjoy the same freedom, or the freedom from the effects of the religious practices of others, or to protect the health, safety and general welfare of the State and its citizens. Actions or practices on the part of one person or group deemed to be 'anti-social' may be regulated or limited or even prohibited even though such actions or practices are grounded on deeply held and sincere convictions.

One might illustrate by reference to such practices as 1) refusal to pay legitimate taxes, 2) religious use of prohibited or restricted narcotics, 3) polygamy or polyandry, 4) practices that are offensive to public morals. The list could be expanded but these suggest that already the State does regulate and limit or prohibit practices of social groups including religious groups. These are both necessary and useful.

It is our contention, however, that such rights of the State be exercised with extreme care and impartiality and only with the objective of preserving a free society. It is always a danger that attempts to limit, regulate or prohibit practices of a religious

nature can be used to suppress legitimate activity by such groups in a discriminatory fashion. In a pluralistic, democratic society it is often a part of the price of freedom to allow some practices deemed by some as offensive, in order to protect the rights and liberties of all. It is of such importance in our Canadian culture that in the past, the broadest interpretations have been made of religious practices and freedoms. To the best of our knowledge there is not even a precise definition of religion per se in the Criminal Code.

Some practices of a nature that can be used in both a beneficial as well as a destructive or dangerous fashion such as 'mind altering,' 'brain washing,' 'hypnotic,' 'behaviour changing' that are imposed in a religious or cultic context without explicit consent or foreknowledge, probably need to be carefully defined and regulated. We are at present tentative in our response to this question.

The manner of such action would probably need to be through examination and license of persons to 'practise' in order to protect the public while minimizing the risk of freedom.

In a letter to a provincial MPP, a minister from Ontario outlined his views:

[A group's] techniques, in my opinion, are not healthy for a certain percentage of the population -- they are too intense and pressure filled and therefore overwhelming to certain personality types, causing what could be called a nervous breakdown. It would also seem that [a group's] recruiting/solicitation system does an inadequate job. They clearly do not screen their applicants properly, perhaps because they think they can help everyone. At best that is a naive assumption and at worst very dangerous.

One of the major problems is accountability. How accountable is [this group] for what it does? How accountable is a psychologist for what he does? How accountable a priest?

The priest is accountable to his congregation or his Bishop -- a fair system for catching abuses. The psychologist is responsible to his colleagues -- a generally inadequate system.

[This group] is accountable to the law -- which is not designed to handle such accountability -- a wholly inadequate system.

Certain basic things come to mind:

- 1) There is a need for standards in the establishment of a church/religion;
- 2) There is a need for standards in the practice of 'psychology.'

Psychological practices, whether by 'academically certified' people, or by quasi-para professionals need to be regulated. There is far too much abuse in this field. The recently proposed 'Psychology Act' was a farce but an appropriate attempt. We have standards for teachers albeit inadequate because they are academic and do not recognize the 'personal talent' aspect of being a good teacher. We can certainly have standards for the various fields of psychological practice.

It is interesting that groups such as [this one] utilize a 'group' approach -- they do not do one-to-one therapy. Therefore, one area of investigation is standards for group work.

We have to recognize the need to establish a system of standards for the practice of psychology which does several things:

- 1) identifies various fields -- psychiatry, psychology, social work, pastoral counselling, community organization and advocacy, child care, mind development, etc., etc.;
- 2) accepts that practitioners in most of these fields currently include persons who do not have academic certification and that some of these practitioners do quality work and have many years experience;
- 3) spells out accountability criteria that account for actual skill and not just academic credentials;
- 4) establishes a licensing system which is not solely in control of the practitioners themselves.

Personally, I think that such standards should clearly earmark standard academic and experiential requirements in any human service field. Such standards ought not to be retroactive and ought to include acceptance of those practitioners in a given field with say five years' experience to that date. I fully realize how complicated this is, but nevertheless it has to be done. There are always loopholes -- they are a foregone conclusion, you can only tell whether or not you've fixed a holed tire by filling it with air and using it.

Other obvious methods of control and accountability are:

- 1) age limits on participants (linked with parental permission);
- 2) solicitation restrictions;
- 3) client limits -- how many people can be serviced in a given time period;
- 4) service limits -- how many mind development type services does a province need?
- 5) money limits -- profit and cost control;
- 6) insurance requirement based on goal attainment (this means goals must be spelled out) and/or against 'mental breakdown';
- 7) psychological testing as part of the applicant's screening process;
- 8) establishment of a licensing process on a level matching local Children's Services Councils currently being established by Comsoc [Community and Social Services].

Health Sector

A copy of the recommendations made to the Ministry of Consumer and Commercial Relations by the Canadian Mental Health Association in 1977 was forwarded to this study and stated that:

For some time Mental Health/Metro has been aware of the proliferation of organizations offering various types of courses to the general public which purport to be of a 'mind development' nature. ...In the interests of informing and protecting the public, on an ongoing basis some form of licensing of such organizations should be considered.

In the same year the Ontario Psychological Association recommended to the Ministry of Consumer and Commercial Relations:

We note the difficulty your Ministry is having in defining the type of services being offered to the people of Ontario by various mind awareness

institutions. The Ontario Psychological Association is the voluntary professional association which represents over 1000 psychologists and psychometrists in the province. Our members, as well as others in the mental health field are aware of the damage which is often evident as a result of participation in programs conducted by such groups. We have been, and continue to be concerned with the need for legislation which would define the scope of psychological practice and guarantee the competence of the practitioner. We also feel that it is possible to write legislation which would allow competent professionals in any number of disciplines to provide such services to the public.

The Ontario Group Psychotherapy Association also responded in favour of the regulation of new religions and mind development groups. Its concerns involved:

...any groups or individuals offering to influence others in the community unless qualified by professional standards of training, academically and with qualified supervision in the field. We support standard setting leading to proper accrediting and potentially to licensing to protect the public interest.

A psychologist at Scarborough Centenary Hospital remarked that few, if any, restrictions applicable to mind development groups exist. He believed this left room for the possibility of abuse, and further stated in his letter:

Outside of outlawing such groups and organizations the alternative is to place strict controls on their activities.

I submit the following rather general recommendations for your consideration:

- 1) Isolate in specific terms what these groups actually do.
- 2) Carefully delineate how these groups label what they do.
- 3) Determine the training and qualifications of the staff which conduct the work for these groups.

- 4) Establish clear and precise guidelines which limit the activities which these groups may engage in.

A psychiatrist at Hotel Dieu Hospital in Kingston, Ontario, with limited experience in dealing with mind development groups, said professionals in the mental health field were concerned about the lack of general standards of responsibility and ethics. He added:

Although the avowed purposes of mind development groups seem to be laudable, in practice, they often promote changes in the person which are inimical to mental health. As you know, they frequently foster an alienation of the subject from family members and other loved ones, and use methods that attempt to break down the subject's personal identity and self-esteem, in the hope that the subject's belief system can be drastically altered. These practices are in direct contrast to counselling and psychotherapy done by trained professionals even when the eventual aim of such treatment is to change the belief systems of the subject or client (patient). Professional psychotherapists never try to indoctrinate their clients or patients.

Citing an example of a man who was admitted for treatment to his unit after experiences with a mind development group, the psychiatrist made two recommendations:

I would like to see some stipulation that mind development groups be prohibited from promoting alienation of enrolled members from their family members and loved ones. Secondly, I would like to see a stipulation that techniques aimed at destroying the patients' identity and self-esteem be prohibited.

An author and expert in the area of new religions also supports a certain amount of regulation:

I don't think it violates any of my principles if I say that the people who are operating these [human growth centres] ought to be ethical and ought to have some kind of qualifications and minimum standards of training and conduct...which involves

an organization being established that would certify these people who presume to operate human growth centres.

In addition, six doctors interviewed by the study supported the implementation of licensing and the establishment of professional standards to provide for screening, assessment, and minimum training.

Education Sector

The Waterloo County and Oxford County Boards of Education recommended the regulation of groups. A psychologist for the Waterloo board had interviewed several persons within his school system who had direct contact with some groups. He pointed out that none of the individuals were unconditionally supportive, and many were skeptical of techniques employed and of ethical and business practices. Some were vehemently opposed to such groups.

He noted some problems that need to be corrected:

The persons employing various mind development techniques have not received recognized supervised training which is licensed or certified by any creditable agency or organization. Also, there has been no mechanism to determine if the person employing the technique can recognize and separate his/her own needs and wants from those intended by the program. The other side of the coin seems also to be true. The trainers have lacked knowledge around the ability of the trainee to handle the training program. Secondly, the techniques employed (usually borrowed from Eastern religions and the social and behavioural sciences) are used in ways which may be questioned from a professional-ethical standpoint. The techniques in and of themselves possibly cannot be challenged except in cases where group coercion, humiliation, physical violence, and food and sleep deprivation are employed. Thirdly, there is no mechanism or process to screen and select appropriate candidates for mind development training.

Social Services Sector

An executive with the Catholic Family Service of Ottawa stated that his organization shares the concern of the government of Ontario in this matter but at the same time cautioned against "infringement on the civil liberties of individuals and groups." He suggested that:

Norms in relation to programs for mental health and spiritual growth could be drawn up as guidelines for organizations -- setting norms while respecting personal freedom.

Ex Group Members and Families

The 16 persons in this category were most outspoken about the need to regulate and control the practices of new religions and mind development groups.

A former group member recommended that:

the legislature enact laws governing establishment and operation of mind development courses to ensure that such courses are conducted in an ethical manner and taught by qualified personnel. The use of behavioural modification techniques, hypnosis and so on be held to be the proper domain of professionals and not a place for amateurs because of the nature of the human psyche...

We will have to learn how to define psychological violence and psychophysical violence in as exact terms as we've been trying to define such things as physical violence, child abuse and so on. We're going to have to get to that point and, having established a sort of set of working definitions, then we could produce laws that would prohibit certain kinds of behaviour.

A man who took a couple of courses with a mind development group said he saw another participant have a nervous breakdown as a result of severe psychological pressures during the course. He commented:

The government has to be very careful about regulating the types of courses that people can take because again, next thing...you're going to be cutting out Sunday school and all...It's a very grey area but I think what the government can do is for courses where there are severe emotional shock therapy treatments used, such as arena sessions and anything involving emotional shock therapy. I think the government can and should insist on some kind of licensing or professional supervision...

The government should establish licensing guidelines to make sure that people are properly trained, and to weed out people who are going to have adverse reactions.

I don't really believe in regulation as a way of life. I think the best way is probably to have public education programs...so that people know that a lot of groups use these techniques, so that at least they know what they're getting into. But I think even on top of that there has to be some basic regulations, you know. If you're going to use these techniques then you have to meet certain guidelines, like you have to have a psychologist clear the people who are going to attend or oversee what you're going to do.

Another former group member recommended that:

Ontario get all the cults practising this form of far-out psychotherapy closely supervised by a government psychologist or psychiatrist on a case by case basis, and they should not be able to give any treatment or so-called spiritual counselling unless the techniques were specifically approved for that patient by a government mental health agency. I'm taking the position that the government of Ontario has an obligation to protect the citizens from this kind of far-out psychotherapy by monitoring it and allowing it only in line or in accord with currently accepted medical practice.

An ex-member of the same group, who claimed to have been greatly harassed since leaving the group, stated:

My purpose and intention in seeing an inquiry in Ontario, or in Canada, or in any organization, is to get the regulation of and the training and licensing and the monitoring of all aspects of psychological therapy, or therapies, dealing with

the mind, and in my opinion the issues that affect society at this time, by these various cults, are the personality alteration or brainwashing and the form of self-hypnosis.

Two former members who had held important staff positions in a mind development organization gave their views:
First ex-member:

I think there should be intervention into the structure of the programs, and people who can sit in and see the way they are structured, and see the techniques that are being used. If there are psychological techniques being used, then I think that it is required that they should have professional staff on hand to, first of all, screen the people who are going to participate in programs. Follow-up programs should be available for the people after they have completed the program, to help them, on a structured basis, if they are going to be required to deal with some things that may be difficult for them. Or else it should be... structured in such a way that they are not using any techniques that could be harmful in that respect.

...I really feel that they should be required to have professional people on staff, if in fact the techniques are going to be used, they need professional training.

Second ex-member:

I feel there should be some sort of governing body, or controlling body, which has set a certain number of criteria, of guidelines that all of these groups must adhere to. And I feel that if this body could come on a regular basis, say once a year, to inspect the various organizations -- I mean, for all sorts of companies and organizations you have some sort of controlling thing in the government, right?...I don't know enough about the ins and outs of the law and everything...but I feel if there is some sort of regular intervention, and specific guidelines, to make sure that somebody -- whether by his personality, by psychic powers or whatever -- can manipulate people, you know, that he not be in a position of power like that, that there must be a democratic body.

Another ex-member of the same group became active in the anti-cult movement after his experiences. He said:

In the case of mind development groups, I have suggested in the brief I presented to the Minister of Health, Dennis Timbrell, that a mind group can be licensed by the government to operate. Should there be any complaints about the practices employed by a mind group, those complaints would be listened to by a licensing body and the license of the group suspended until there was a clear explanation provided of the circumstances surrounding the complaint.

He continued:

The responsibility of new legislation pertaining to mind groups and some form of licensing of these groups could very easily be adopted. And on that I would say that the very absence of any licensing at the present time lulls the public into a false sense of security. The public are well prepared for and used to legislation in fields where there might be some danger and the absence of any licensing in this field leads the public to suppose that there is no danger. To get a license would require that the instructors were properly qualified...At the present time, I personally could start up a course tomorrow and inveigle people to join my course and use all these practices on them and endanger people's mental health. And there is no law that says I can't do that.

Concerned Citizens

A lawyer and parapsychologist said groups should be licensed and controlled in a way similar to the legal and medical fields. During an interview the lawyer said:

These cults have just picked the religious aspect to hide behind, because nobody will touch them. And I believe that it's the practices that they are using to break the mental processes down, as described by these psychiatrists, psychologists, it's those techniques that have to be somehow controlled or regulated. That's where the problem is.

Active Group Members

Active members of the Foundation Faith, Brotherhood, Mind Awareness, Psi, and IAM furnished six recommendations. It was felt that the government should control those groups using high pressure techniques, harassment, and unqualified drug therapy. Mind Awareness stated in its brief that precisely-worded guidelines would allow for government involvement and enforcement. Foundation Faith's presentation to the study called for government regulation of these groups because of the absence of any self-regulatory procedures on the groups' part. While expressing concern about the sensitivity of the issues at hand, they maintained that controls were necessary.

Government and Private Experts

Six recommendations were made in this category. The Council on Mind Abuse suggested in a brief that the government should require:

Mandatory disclosure to recruits regarding the nature of his or her daily life after joining.

And that government should:

Inaugurate a form of licensing of those groups or cults employing coercive persuasion techniques to secure conversions.

Sidney Handleman, former MPP for Carleton, stated that government action should be taken only in the area of control of health disciplines. He believed the gravity of government intrusion into individuals' private lives might exceed the ill effects of groups left unregulated.

Wrestling with the idea of legislation, senior officials in the Ministry of Health raised the problem of defining the range of activities and techniques engaged in by many "mind development groups":

The most fruitful approach might be along the lines of attempting to license or register any group that purports to provide mind or personality 'strengthening' or 'development' for a fee. Such regulation would necessitate anyone offering such programs to obtain a licence and post a bond in the event of there being any claim for damages that might result to the recipients of the program. One could, in the processing of applications for licensing, require statements with regard to qualifications of individuals to carry out such activity, without necessarily indicating any criteria or minimal standard. One could also require a statement of the process to be used, and also attempt to determine how the group providing the program would undertake to assure themselves that people who might be damaged by such an experience, might be excluded or protected. One could also include a requirement that in the event of these procedures having a deleterious effect, measures be taken to ensure that adequate support or treatment was readily available if needed.

As an additional precaution, it could be required that persons offering the program obtain informed consent which would ensure that any potential risks would be declared in advance and known to the individual. The filing of an adequate Consent Form for this purpose would be part of the licensing requirements.

While such a licensing proposal has many shortcomings, it would at least require anyone offering to provide such a program, declare themselves in terms of their qualifications, the process to be used, precautions to be taken, and an undertaking to obtain informed consent. This in itself might have some deterrent effect, since some programs might be unwilling to be exposed to such scrutiny, and at least provide the consumer some protection.

The posting of a bond would be an additional protection, providing some recourse in the event of untoward consequences for the participants. One could revoke the licence if there were a number of complaints; if there was evidence to show that the program was dangerous; or if the persons running the program were not taking adequate precautions to protect the individuals exposed to the program.

As a suggestion, however, one might exclude programs undertaken by established religious groups, all programs operated under the auspices of an educational authority, either at the university, community college, or secondary school level; therapeutic activities conducted by professions regulated under the Health Disciplines Act or other Acts, the practice of their profession by other professional groups such as social workers, etc., who might be designated, who are not currently regulated by legislation, but which have a tradition of professional practice responsibility.

Another issue that is rather difficult to deal with is the question of establishing standards or minimal qualifications. Because the area of so-called 'mind development' is broad and the goals are so diverse, it is next to impossible to define what would be appropriately described as an 'adequate program' and for the same reason, it is not possible to define qualifications for persons conducting those kinds of programs. It is our suggestion that licensing, excluding legitimate enterprises that are controlled through other bodies such as Health Disciplines Act, might be a more suitable approach to control and regulation rather than attempting to set standards.

A private bill introduced by MPP John Sweeney to control the activities of groups would permit the Minister in charge to require:

...any designated cult or group to file within the time specified in the notice a return upon any subject connected with its affairs and, in the opinion of the Minister, relevant to the public interest.

And it would permit the Minister to make regulations for:

...prescribing qualification requirements for counsellors providing services on behalf of a designated cult or group.

And for:

...prohibiting a cult or group from accepting a full commitment to the cult or group by a person who has not been permitted a period of time to consider the consequences of such commitment away from the influences of the cult or group and specifying periods of time for that purpose.

OTHER PUBLIC RECOMMENDATIONS

Twenty recommendations did not fit into the 10 major categories. Almost half were made by ex-group members. A Canadian deprogrammer and the Council on Mind Abuse suggested the establishment of a conservatorship law, similar to those in some U.S. jurisdictions, giving parents temporary custody of children (even though they may be adults), who are then required to undergo psychological assessment within a predetermined period of time.

Similarly, a Toronto rabbi urged the introduction of legislation that would require "any so-called religious group to have an open door to outsiders." Another person proposed that:

...certain government officials be authorized to enter any institution or commune...if they suspect that someone's physical or mental health is seriously endangered by not receiving the needed medication, medical or psychiatric treatment as considered necessary by a team or committee of medical doctors.

Such officials shall be empowered to order such a person, regardless of age, to receive the above-mentioned treatment, provided the patient is given the choice of physician...who is at least sympathetic to his or her religious beliefs.

Harold How, Attorney General for Nova Scotia, recommended that provisions be made within the law to facilitate parents' withdrawal of their children from groups. Parents concerned for the welfare of their offspring would thus be able to secure the release of their children without being charged with kidnapping.

An active group member and a former member of the same group each urged the government to undertake to define religion so distinctions could be made between legitimate and illegitimate groups.

A former group member and a Protestant minister who was also a school board trustee did not feel religious "cults" had the right to exist and that legislation should be passed to abolish them. The minister stated:

I think one of the confusions I see is a confusion between sect and cult and I think that line must be very clearly defined...What I would call the sectarian movement, which I think has a right to exist, but the cult movement in my opinion has no right to exist. And now, how do we legislate it out of existence, I'm not sure, but I think there has to be legislation that comes to grips with it.

Two ex-members felt these groups should not have access to public institutions and that taxpayers' property should not be used to help them become self-sustaining.

COMA and the Rev. Colin Clay, Chaplain at the University of Saskatchewan, recommended that provincial rehabilitation centres be established for ex-members, where they would be provided with professional help.

The United Church of Canada urged only minimum regulation. Its brief said:

If this is to be realized 'in an atmosphere of free choice,' then the same conditions must apply to all. Recognizing that 'genuine religious conversion involves mind modification, change of attitudes and life direction,' then the new religions must be given the same freedoms to work toward conversions as the 'mainline' religions. Rather than regulation it was suggested that a better understanding of the problems in this area could be achieved through friendly interfaith dialogue.

Similarly the Unification Church encouraged a dialogue with the mainstream religions to understand the faith and beliefs of their organization.

An ex-member suggested the government should sponsor Catholic or Protestant communes where participants could perform community service. Such communes would appeal to the needs of idealistic youth to make a useful contribution to society.

A former group member urged the government to deny Transcendental Meditation access to public institutions on the grounds that it was not a legitimate religion. A current group member, on the other hand, wanted the government to give official support to Transcendental Meditation.

Other recommendations from U.S. sources included one from Prof. Richard Delgado of the Law School of the University of California, Los Angeles. He recommended that legislation be enacted to provide a "cooling off" period whereby adolescent members of groups would be required to return to their families for a short time following their recruitment.

Testifying at the Dole Congressional Hearings in Washington, D.C. Jeremiah Gutman of the American Civil Liberties Union was critical of Prof. Delgado's suggestion which, he said, was "in violation of the First Amendment." He continued:

It is precisely that kind of intermeddling that the Supreme Court has stricken down every time laws touching religion have been involved.

You cannot say to an individual -- not only under the Freedom of Religion clause, the Freedom of Exercise clause, but under the Freedom of Association clause of the First Amendment -- you cannot say to an individual: 'You may not join this organization until a week from Friday because it is a cooling-off period.' It violates the most basic principles of the First Amendment.

Legislation proposed by the Attorney General for the state of Michigan provides for the criminalization of mind control. The bill would make illegal the use of any type of mind control and provide for legal kidnapping if, in "the case of elimination of free will through the exercise of mind control, the person's movements are directed by the individuals employing such control."

On the other hand, the Rev. Dean Kelley said the American Civil Liberties Union:

deplores the reluctance of public officials to prosecute those who kidnap, assault, and imprison others, whether under the color of ex-parte conservatorship orders or otherwise, as a device to compel renunciation of or adoption of beliefs of any kind. Such criminal action should be punished, even if it is at the instigation of well-meaning persons who may be parents of the victims. To the extent that members of certain disfavored groups are thus exposed to the degradation of professional, self-styled deprogrammers, other religions are receiving support from government in violation of the no establishment of

religion clause of the First Amendment, while the disfavored groups and their members are being denied the right to free exercise of their religion.

To the extent that any group -- religious or otherwise -- imprisons its members by force or threats of force, the criminal law should be applied even-handedly. This is not to condone, however, the use of criminal sanctions against those who may threaten divine damnation to non-believers or backsliders. Only physical restraint or threat thereof, not moral pressures, peer pressures, or threat of divine retribution, can be considered as the basis for criminal sanctions.

...The remedy to be applied if one's adult child adopts a religious principle or life style repugnant to one's own is not self-help criminality and interference with constitutional liberties. The remedy lies in attempting to understand, to sympathize, and to persuade.

The Jewish Community Relations Council of Greater Philadelphia recommended the establishment of a group information and rehabilitation centre for the Jewish community of that area. A similar centre exists in Berkeley, California, whose goals are:

- 1) to assist individuals who desire to leave non-traditional religious groups or cults to return to mainstream society;
- 2) to serve the general public as an information and referral resource concerning non-traditional groups or cults; and
- 3) to serve as a neutral mediator between converts to non-traditional religious movements and their estranged spouses or parents. The Centre aids in the reintegration of ex-cult members into society by providing short-term housing and professional counselling. In addition, the Center acts as a coordinating agency to assist individuals in obtaining legal services, medical/dental care, vocational guidance and job placement.

CHAPTER 9

CONCLUSIONS

The Issue in Perspective

The controversy raised by new religions, cults, sects, mind development groups and deprogramming is complex and defies simplistic solutions, posing instead questions that are basic to our democratic institutions. Few other issues are so befogged by emotion. Few others are as bedevilled by how little still is known about the human mind and its vulnerabilities. And few others bring so many fundamental principles of our society into mutual conflict.

None of which is to say that the issue cannot or should not be addressed. It is to say, however, that the area is a virtual public policy minefield into which government must enter with great caution and restraint. A misstep, a hasty or unnecessary action, could inflict severe damage on principles and institutions vital to the maintenance of a democratic community. The challenge for government in such a situation is to determine when its intervention would be in society's interest and when it best serves society by taking no action at all. Walter Tarnopolsky, professor of law at the University of Ottawa and an authority on rights and freedoms in Canada, describes the distinction this way:

It may be that an individual or a group demands non-interference from the state, at least in certain activities; this is a claim for freedom or liberty. It may be, however, that the demand is for state intervention to protect one's way of life against encroachment by others, or to

provide it either as a minimum living standard or on a basis of equality with others; this is a claim for the positive assistance of the state in the security of certain rights.

Carrying this kind of analysis further, Frank Scott, a former McGill University law professor and a noted civil libertarian, explains that "defence against the state and protection by the state are two correlative functions, not contradictory but complementary."

Still, the question remains: When is government action warranted and when is non-intervention appropriate? In its consideration of that question, the study was guided by the civil liberties traditions flowing from centuries of English common law and parliamentary democracy. It is upon that libertarian legacy that Canadians consider their society to have been founded. Summing up that legacy, Chief Justice Bora Laskin of the Supreme Court of Canada says:

History and Traditions have hallowed what may be termed...political civil liberty which is associated with the operation of our parliamentary institutions and which make parliamentary democracy possible and tolerable. The substance of this kind of liberty is freedom of association, freedom of assembly, freedom of utterance, freedom of the press and freedom of conscience and of religion...

None of these freedoms, however, is absolute. Liberty has its restraints. Accordingly, the Chief Justice continues:

Freedom of speech does not on a level of public order and law cover incitement to crime or seditious utterances; and, on a private level, it is limited by the law of defamation. This is equally true with freedom of the press which, moreover, cannot be invoked to support publications that are in contempt of court. Freedom of religion

and of conscience will not, in the views of the courts of the common-law countries, justify human sacrifice or polygamy or the practice of medicine without proper certification or refusal to obey compulsory school attendance laws.

Nor, insofar as the issue at hand is concerned, will freedom of religion or conscience excuse fraud, misrepresentation, physical coercion, assault, kidnapping, improper solicitation, or other such practices.

Rights and Freedoms

While the study was guided by the libertarian principles expounded by Chief Justice Laskin, it also remained acutely aware of the historical evolution of those rights and restrictions about which the judge wrote. That history has been a long one; it dates back at least seven centuries. It also has been highlighted by displays of incredible human courage in the face of unimaginable suffering and persecution. In other words, the rights and freedoms enjoyed today have been highly refined through time and human endeavour. Any government that contemplates action that might affect them should do so only in the light of a clear awareness of how they have come down to us.

Perhaps, then, it is appropriate to consider briefly some of the historical landmarks in the evolution of our rights and freedoms.

The signing of the Magna Carta on June 15, 1215, is generally regarded as the seminal event in the development of Western libertarian principles. On that day, King John

of England, succumbing to the protests of his barons, set his seal to a monumental charter of liberties. In essence, that charter gave the just rights of the individual as defined in law supremacy over the will of the king. Magna Carta affirmed the principle that monarchs were accountable for their actions. Ultimately, this responsibility shifted to the king's ministers, who held office at the will of a representative Parliament elected by the people.

Early human rights statutes in English history frequently sat side by side with discriminatory legislation. For example, The Marriage Act of 1753 required all persons other than Jews and Quakers to be married in the parish church according to the rites of the Church of England. The Conventicle Act of Charles II in 1664 made it an offence for more than five persons to meet for worship other than according to the rituals of the Church of England. Glen How, counsel for the Jehovah's Witnesses in Canada, reminds us that:

It was under this statute [Conventicle Act] that constables of the City of London locked the church of the Quaker, William Penn. The latter stood on his church steps to address the congregation and thereupon was arrested for rioting. A most disgraceful trial followed. The jury found him guilty of 'speaking and preaching.' So eager was the court to convict that it ordered the jury imprisoned for two days without food or water in an effort to force a conviction for rioting. When they still adamantly refused, the jurors were fined 40 marks each and committed to prison.

Over the ensuing centuries, however, the British Parliament enacted many legislative measures to safeguard basic freedoms and extend human rights. Ultimately, the enduring rectitude of early English human rights statutes had

a decisive influence in Canada where federal and provincial Parliaments also introduced legislative protections for rights and freedoms.

Unlike the United States, where protection for rights and freedoms is guaranteed and provided for under the Constitution, we have relied largely on a series of legislative measures enacted from time to time by our Parliaments to protect our liberties in Canada. Furthermore, we have tended to believe that the best hope for protection of our fundamental freedoms lies in the fair-mindedness of our parliamentary traditions. We do not have an entrenched Bill of Rights. Canada's constitution, the British North America Act, does provide some such protections in the area of freedom of religion and association, but they are few and indirect. The main protection at the federal level lies in the Criminal Code. Even at that, it lies not so much in what the Code does say as in what it does not say. Professor Scott explains this point in an article entitled, "Dominion Jurisdiction over Human Rights and Fundamental Freedoms":

At Confederation the only religious matters mentioned in the B.N.A. Act are to be found in section 93 securing certain denominational rights to separate schools against provincial change, though provincial laws relating to property and taxation will affect the churches in many ways. The general right to practice the religion of one's choice in Canada must rest on the fact that no religion is made criminal, as some have been in our past history. Hence we find the Criminal Code dealing with religion by prohibiting blasphemy in section 198, but at the same time protecting the freedom of religious thought by providing that no one commits a blasphemous libel who expresses in good faith and in decent language 'any opinion whatever upon any religious subject.' Freedom of worship exists because no province could prevent it and the federal Parliament has not made any religion a crime.

Many other fundamental rights are likewise in federal keeping. Freedom of association is a public right within the ambit of the criminal law; by defining seditious conspiracies and unlawful assemblies the Criminal Code permits all kinds of associations which do not come within the prohibitions. No province could validly legislate to prevent any type of associations from forming, or meetings from assembling.

Protection of Rights

In addition to relying on this interpretation of the Criminal Code, Canada has taken several other positive steps to secure religious and other human rights for its citizens and residents. Canada, for example, was among the 48 nations that adopted and signed the Universal Declaration of Human Rights of the United Nations General Assembly on December 10, 1948. The Declaration consisted of a preamble and 30 articles, the major portion devoted to two broad categories of rights -- personal, civil and political; and economic, social and cultural. Articles 18 and 20 have particular pertinence here:

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 20

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one may be compelled to belong to an association.

Among legislative measures taken to protect religious rights was the Canadian Human Rights Act of 1977, which was

designed to ensure that:

Every individual should have an equal opportunity with other individuals to make for himself or herself the life that he or she is able and wishes to have, consistent with his or her duties and obligations as a member of society, without being hindered in or prevented from doing so by discriminatory practices based on...religion...

To achieve this objective, the Act prohibited discrimination on religious and several other grounds in areas such as employment, provision of goods and services, and sale or rental of residential accommodations.

In the view of many historians, this country's readiness to commit itself to the UN Declaration and subsequent enactments in support of human rights grew partly out of its experience in the Second World War. As it confronted the racist horrors of Nazism and the frightening violations of human rights elsewhere, Canada seemed to evolve a deeper sense of the value of rights and freedoms and a sharper understanding of how they could be extended. It also came to recognize that serious threats to our liberties could arise just as easily from within the country as from outside. Hysteria, Canadians discovered, could lead even freedom-loving people to perpetrate extraordinary assaults on basic freedoms in the name of the security of the society. The federal government's tragic wartime policy of forcefully evacuating 21,000 Japanese Canadians from coastal areas of the country was a case in point.

In keeping with government directives, these people were placed in internment camps and their property was confiscated.

In his book, The Enemy That Never Was, Ken Adachi points out:

What happened to the Japanese Canadians is an enduring monument to the fragility of democratic ideals in times of crises in which, given the right circumstances, people so easily lose their perspectives on civil liberties.

It was a shameful period in Canadian history and would prompt Prime Minister Lester B. Pearson many years later to apologize publicly to Japanese Canadians at a meeting at the Japanese Canadian Cultural Centre of Toronto.

Jehovah's Witnesses in Quebec

In the ensuing years, even though legislative measures were emerging to protect rights and freedoms, Canadians were reminded once again that they could never relax their guard and assume that their liberties were assured. There were, for example, the persecutions of Jehovah's Witnesses in Quebec and elsewhere to remind them. The Saumur case, in which a Jehovah's Witness attempted to distribute literature in contravention of a Quebec City bylaw, already has been referred to in an earlier section of this report.

Two years after the Saumur case, in 1955, the Jehovah's Witnesses were awarded substantial damages in another Quebec action, the case of Chaput v. Romain. Members of the Quebec Provincial Police entered the house of a Jehovah's Witness, where a religious service was being held. The meeting was orderly but the police seized a Bible, hymn books and other literature and ordered those present to leave the premises. The Jehovah's Witnesses brought action for damages and for the value of the articles seized. The action was dismissed in

the Quebec courts. However, when the case reached the Supreme Court of Canada, it was unanimously allowed on the grounds that the respondent had violated the Criminal Code which prohibits interference with religious services.

In the Saumur case, Mr. Justice I.C. Rand of the Supreme Court summarized his thoughts on religious freedom in Canada with a view that seems to have held in Chaput v. Romain as well. Judge Rand said:

From 1760 therefore to the present moment religious freedom has, in our legal system, been recognized as a principle of fundamental character; and although we have nothing in the nature of an established church, that the untrammelled affirmations of religious belief and its propagation, personal or institutional, remain as of the greatest institutional significance throughout the Dominion is unquestionable.

It was these and other civil liberties cases in Canada that helped to create a climate of acceptability for the Canadian Bill of Rights which passed the House of Commons in 1960. Although largely declaratory and subject to repeal as a federal statute, it nevertheless possesses unquestionable educative value as a formal restatement of the fundamental rights and freedoms historically rooted in English and Canadian legal traditions.

Part I, section 1 of the statute is particularly applicable to the current study:

- 1) It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion or sex, the following human rights and fundamental freedoms, namely.
 - (a) the right of the individual to life, liberty, security of the person and enjoyment of property,

and the right not to be deprived thereof except by due process of law;

- (b) the right of the individual to equality before the law and the protection of the law;
- (c) freedom of religion;
- (d) freedom of speech;
- (e) freedom of assembly and association; and
- (f) freedom of the press.

Thus far, the emphasis in this brief historical sketch of Canadian attempts to safeguard rights and freedoms has been on federal action. Certainly provincial initiatives have been at least of equal importance. In this regard of course, Ontario's experience has been of particular interest to the study.

Ontario Initiatives

In 1793, the first Parliament of Upper Canada passed an act prohibiting the further importing of slaves into the province. It was the first statute of this nature in the British Empire. Lieutenant-Governor John Graves Simcoe, long an enemy of the slave trade, had vowed while he was a member of the British Parliament never to support any law that "discriminates by dishonest policy between the natives of Africa, America or Europe." The statute also provided that any child born of a slave mother already in the province would become free at the age of 25. It is worth noting that this statute predated The Imperial Emancipation Act of 1833 and Abraham Lincoln's Emancipation Proclamation of 1863. Moreover, it set the stage for the Underground Railroad movement in which

35,000 or more U.S. fugitive slaves -- realizing that Blacks were free in Canada -- fled to safety in southwestern Ontario and started a new life. They were protected here by the courts from kidnappers and others who constantly sought to have them extradited to the U.S. The courts had proclaimed that "once a Black touched Canadian soil, he would forever be free."

Simcoe's legislation is significant in this context as an indication of how deeply rooted libertarian traditions are in the parliamentary and judicial history of Ontario. Perhaps even more to the point of the study, though, was The Freedom of Worship Act which was passed in 1851 and is still in effect in Ontario today. The Act provides that:

Whereas the recognition of legal equality among all Religious Denominations is an admitted principle of Colonial Legislation, and whereas in the state and condition of this Province, to which such principle is peculiarly applicable, it is desirable that the same should receive the sanction of direct Legislative Authority, recognizing and declaring the same as a fundamental principle of our civil polity: Be it therefore declared and enacted by the Queen's Most Excellent Majesty, by and with the advice of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, an Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, and it is hereby declared and enacted by the authority of the same, That the free exercise and enjoyment of Religious Profession and Worship, without discrimination or preference, so as the same be not made an excuse for acts of licentiousness, or a justification of practices inconsistent with the peace and safety of the Province, is by the constitution and laws of the Province allowed to all Her Majesty's subjects within the same.

It is noteworthy that this statute forbids both

"discrimination" and "preference." The significance of this distinction is that there must be neither discrimination against a religion or form of worship, nor preference in favour of a particular religion or form of worship.

Another statute protecting religious freedom, entitled An Act Respecting Rectories, was passed in Ontario in 1897. Section 1 of the statute declared:

The free exercise and enjoyment of religious profession and worship without discrimination or preference, provided the same be not made an excuse for acts of licentiousness, or a justification of practices inconsistent with the peace and safety of the Province, is by the constitution and laws of this Province assured to all her Majesty's subjects within the same.

Human Rights Laws

Probably the most important advance of this century insofar as the legislative protection of human rights in Ontario is concerned was the implementation of enforceable human rights laws. In the face of mounting evidence of racial and religious discrimination in the province, the Legislature first ventured into this field in 1944. The province's initial human rights statute, The Racial Discrimination Act, banned discriminatory notices and signs. However, it was in post-war Ontario that government became clearly launched on an era of public policy and action in support of human rights.

In 1945, Mr. Justice J. Keiller Mackay of the Ontario High Court struck down a restrictive covenant in which a buyer of land had entered into an agreement not to resell the land to "Jews, or to persons of objectionable Nationality." During the 1950s, several other measures were passed to prohibit

discrimination based on race, creed, colour, sex, nationality or place of origin. Among them were The Fair Employment Practices Act of 1951, The Female Employees Fair Remuneration Act of the same year, and The Fair Accommodations Practices Act of 1954. Then, in 1962, Ontario further strengthened its legislative hand in this field by consolidating all past statutes into the Ontario Human Rights Code to be administered on a full-time basis by the Ontario Human Rights Commission.

With each of these steps, Ontario was in advance of all other Canadian jurisdictions. Indeed, most provinces later turned to Ontario for guidance and assistance as they established similar legislation and administrations.

Bill 99

Shortly after the establishment of comprehensive human rights legislation in Ontario, the government's commitment to the preservation of fundamental freedoms was put to a severe test. In 1964, the Attorney General introduced Bill 99 into the Legislature, describing it as "a series of amendments ...to define more particularly the powers of the Ontario Police Commission, and to give it certain additional powers, particularly with respect to determining the adequacy of policing and the designation of areas under The Police Act where municipalities are required to make their own police force."

To help law enforcement authorities fight crime in the province, the bill proposed certain extraordinary measures while neglecting the impact such measures would have on rights and freedoms. Among other things for example, the bill would

have given the Police Commission the power to force witnesses to appear before it. However, opponents of the bill argued that the proposed legislation did not provide adequately for the right of the individual to retain and instruct counsel, to seek protection under the Canada Evidence Act, or to avail himself of protections afforded witnesses in civil courts. Proponents of the bill argued that "the rights of a few individuals will have to be overridden for the good of all." However, public furor was virtually instantaneous with the media in its vanguard. The original bill was withdrawn and the Attorney General of the time resigned.

McRuer Commission

Bill 99 was a dangerous proposal as far as the rights of Ontario residents were concerned, but the experience yielded some positive results. After emerging from the scathing public attack it had invited by introducing the bill, the government realized that issues involving human rights and freedoms had also been raised regarding the activities of its many administrative boards, commissions and tribunals. Several of them had been accused of questionable practices and of abrogating the rights of citizens. Accordingly, the government established a Royal Commission of Inquiry into Civil Rights in Ontario, headed by James C. McRuer, former Chief Justice of the High Court of Ontario and later chairman of the Ontario Law Reform Commission. The government asked the McRuer Commission to:

examine the laws of Ontario to determine how far there may be unjustified encroachment on personal civil rights and freedoms by the legislature, the

Government, its servants and agents and other bodies exercising authority under or administering the laws in Ontario and after study and consideration to recommend such changes in the laws and procedures as may be necessary and desirable to safeguard the fundamental and basic rights and liberties of the individual from infringement by the state or any other body.

In his four-volume report to the Legislature, McRuer found numerous instances in which governmental agencies had directly or indirectly, through practice and thoughtless precedent, abrogated the rights of Ontario citizens. His recommendations led to the establishment of the Office of Ombudsman for the province and the passage of The Statutory Powers and Procedures Act, delimiting the authority of boards, tribunals and commissions in dealing with citizens.

After completing his monumental work, McRuer pondered the concept of justice and wrote of it:

When we speak of justice it is fair to ask, what is justice? Philosophers, writers, statesmen, orators and even babblers have spent volumes of words trying to define justice. Justice is beyond definition but the humblest citizen travelling the highways of life has a fairly clear idea of what injustice is in any particular circumstance and he looks to the organized courts to protect him from injustice in the application of law to his human affairs.

Pondering Alternatives

There undoubtedly have been countless other moments of central significance, for better or worse, as the legacy of our rights and freedoms evolved. However, it is hoped that the preceding references have provided at least a brief and sufficient illustration of the nature of the historical perspective brought by the study to its analysis of the evidence and

arguments before it. They signified to the study that, within the reasonable constraints of criminal and civil law, each person must be allowed the maximum in personal freedom to decide whether and what he will believe, whether and how to worship, as well as how and with whom to associate. Within those same constraints, he must be free to pursue any matter that intrigues him and even to fall victim to his own folly.

This by no means made any judgment about the need for new laws a foregone conclusion. However, the study operated on the principle that new legislative measures to curtail the activities of cults, sects, mind development groups, new religions or deprogrammers would be legitimate only if three conditions prevailed. Firstly, of course, existing laws would have to be unequal to the task of containing the evil.

Secondly, the practices to be prohibited -- perhaps even the groups employing them -- would have to be susceptible to clear and unequivocal definition and description. Otherwise, legislative measures intended to prohibit specific practices and restrain specific groups might amount to a scattergun assault that would cut down benign -- even constructive -- practices and practitioners. Either that, or they would be so vague as to be unenforceable.

Finally and most importantly, the evil to be contained would have to be of such a magnitude as to render acceptable whatever limitations of rights and freedoms new legislation might impose. The study was mindful of the kind of admonition issued by the Canadian Civil Liberties Association: "...the proponents

of such laws bear a heavy onus to demonstrate the magnitude of the evil to be purged and the necessity of the means to be used." Thus, a heavy burden rests on those who would seek controls as well as those who would seek to exercise them. To act otherwise would create an obvious peril to our democratic institutions -- institutions that have taken centuries to build and maintain.

It was with these considerations in mind, then, that the study reviewed what it had learned of cults, sects, mind development groups, new religions and deprogramming and pondered whether government action was appropriate and, if so, possible.

BRAINWASHING AND HYPNOSIS

As the writer of a recent pop song lamented, perhaps inelegantly but nonetheless perceptively:

Somethin's happening here.
What it is ain't exactly clear.

To the person who penned those words, the cause for distress was not likely any aspect of the so-called "cult phenomenon." Still, they do sum up the dilemma the study faced as it attempted to evaluate allegations that the movements employ mind control techniques -- specifically brainwashing and hypnosis -- to convert and hold recruits.

Obviously, something has been happening. It is extraordinary to see recruits embracing radical new beliefs with suddenness and fervour and their self-sacrificing devotion to

the groups. Perhaps especially in times such as ours, when secularism is said to reign and selflessness supposedly is rare, it seems it would require something more than friendly persuasion to explain such conversions. But can they really be the products of mind control? Brainwashing? Hypnosis? Mental kidnapping? Psychological enslavement?

To a majority of anti-cultists, many of whom have undergone conversions themselves, there is no doubt. And the study must admit that their arguments have a compelling quality. The analogies they draw between classical mind control techniques and conversion practices of many cults, sects, mind development groups and new religions are strikingly apt in many respects.

In the final analysis, though, the study could not confirm that the groups' practices constitute actual brainwashing or hypnosis. And while the study believes the practices are designed to play heavily on the emotions and psyche, it could envisage no way of effectively legislating against their use.

There is no doubt, as far as the study is concerned, that most of the groups under examination do employ emotionally and psychologically taxing techniques in the conversion of recruits. Many of their practices clearly are intended to make recruits doubt relationships and activities of their past and press them to accept new, radically different beliefs and life-styles. It also is readily apparent that the movements employing such techniques are highly effective;

people do change radically and certainly not always to their own benefit.

However, this description also fits many a religious, social, political, psychotherapeutic, fraternal, or other organization whose practices never have been considered to be beyond the range of the acceptable. The adherents of these organizations can manifest fanatical attachment, resistance to alternative views, and hostility to criticism. Their speech can become studded with the clichés of their groups and their time and energies consumed in service to their causes or leaders.

Does that mean that we must accept coercive practices by some movements just because other organizations employ them? Certainly not. It does mean, though, that we must be prepared either to restrain all organizations equally or somehow identify legislatively definable ways to differentiate between what the movements do and what others do.

The study doubts that society is prepared to do the former. It would not tolerate the wholesale prohibition of fire-and-brimstone revivalism, rousing political oratory, encounter-based psychotherapy, religious retreat and asceticism, or other such emotionally and psychologically taxing techniques of persuasion and conversion.

Nor could the study currently see any way of doing

the latter. Even the ardent anti-cultists interviewed by the study, could not draw substantial distinctions between, for example, cultic milieu control and the rigours of a remote, monastic retreat. It was argued that there was a difference. The movements employed pressure tactics in battery while other groups used fewer and used them less intensively. But the study did not envy those drafting legislation who might have to define the point where the coercive pressure of persuasive or conversion techniques becomes illegal.

Is Conversion Voluntary?

Even if it were possible to draft these kinds of legislative distinctions, though, another issue would put the legitimacy of the effort in doubt. There still would remain the vexing question of how far a recruit is brainwashed or hypnotized into conversion and how far he is acting on free will.

As Dr. Saul Levine suggests in the report on his sub-study, there is ample reason to believe that the movements are not required to use much persuasion in many, perhaps most, cases. In these instances, those who join the groups are well on their way to conversion to an undefined something before they come into contact with specific movements. In any attempt to apportion responsibility for a conversion, Dr. Levine says:

The confounding factor may be the initiate or convert himself...In all the cases we have examined, members before joining were characterized by having significant voids in their lives. They experienced alienation, demoralization and low self-esteem, and many were looking for answers

to life's perennial dilemmas. A group which fills these voids and promises answers, attracts these particularly disposed individuals. But the crucial ingredient is the predisposition... The conversion experience is a revelation to these individuals...Because of their extreme need to believe and belong and to feel good about themselves, the group may have to do very little to convert new recruits. They almost do it themselves...that control is often self-generated.

Quite aside from questions of whether conversion is self-induced, opinions of clinicians interviewed by the study varied considerably about the extent, if any, to which the groups were capable of depriving recruits of their free will. Some believed the groups were fully capable of suspending the individual's capacity for critical judgment and free choice. Others believed the individual could never be robbed of his rationality and freedom of choice nor, by the same token, relieved of responsibility for what happened to him. Still others felt that at some indistinguishable point, which probably varies from one individual to another, some practices might have the effect of negating freedom of thought and action.

Are brainwashing and hypnosis facts in the movements, then? Or are they inappropriate images that a former member and his family might use to divest themselves of responsibility for an embarrassing episode? The study has no conclusive answer to these questions, for there seems to be no firm consensus on them even among those schooled in the study of the mind.

For now, the study can acknowledge "brainwashing" only as a highly colourful and intriguing metaphor for what

happens, not only in movements examined here, but in many other high-pressure organizations with stirring causes and charismatic leadership. Even the parallels that Robert J. Lifton and others draw between classical brainwashing and the movements' practices fail to demonstrate that the two are anything more than analogous. As Dr. Levine notes, each characteristic of mind control established by Lifton is open to broad interpretation. "They do not lend to concise measurement," he adds, "and one is still left with a controversy as to whether brainwashing is being practised by the cult."

Same Problem with Hypnosis

The problem is much the same involving allegations that the groups practise hypnosis. Most movements in this study do engage in the induction of altered states of mind. That is, in fact, their professed goal; that is the transcendent state. Is it, however, a hypnotic state? Is it a trance in which an individual's free will can be bypassed and he can be made to act contrary to what he would normally perceive as his best interests? Given the predisposition of members to believe and do as their leaders tell them, could it not conceivably be a matter of self-hypnosis?

An indication of the current state of professional knowledge on this matter was contained in a paper prepared in 1979 for the Ontario Psychological Association by Dr. Frank Auld. Dr. Auld says:

Leading researchers on hypnosis such as Ernest Hilgard have much to tell us about this mode of functioning. Hilgard's latest book on hypnosis...offers a theory of hypnosis -- Hilgard's neodissociation theory --

and a rich store of empirical findings. This book does not, unfortunately, give us definitive criteria for judging if what the cults and mind development groups do to their members is hypnosis.

But even if we were convinced that the groups practised hypnosis -- and it is alleged that at least one mind development group has -- definition of the term for legislative purposes seems currently to be impossible. Ontario Ministry of Health officials said a sampling they took of medical opinion on a definition failed to produce a consensus. Even Dr. George Matheson's submission to the study implies a difficulty where it states that, using the "natural" approach, a hypnotist can work during a normal social contact without his subject knowing. Surely such approaches pose major problems in respect to legislative definition.

Conclusion

Is it possible, then, that the community will be assaulted by groups, operating beyond the pale of legislative restraint, and expanding their ranks in an orgy of brainwashing and hypnosis? Not likely. If, in fact, any of the movements do practise mind control, the evidence suggests that they are not effective at it. Research in many centres by investigators in a variety of disciplines has indicated that membership in a group is usually of brief duration -- usually no more than a year and frequently much shorter. Although the study's own sampling was small and not formally constituted for such purposes, the experience of former group members, who were interviewed, was in line with the research findings. Of 28

former members interviewed, eight had stayed in their movements less than six months, 10 for six months to a year, and only four for more than three years.

Although new legislative remedies may not seem likely in the foreseeable future, perhaps the courts can still be a recourse for those who feel they have suffered a loss of freedom through mind control. As Professor David Weisstub explains in detail in the paper he prepared for the study, existing common law remedies might be adapted for the purpose. He notes, for example:

Over time, false imprisonment actions have been modified to accommodate diverse and subtle constraints on the quality of physical movement, and have also contained a psychological component. Defendants have been exonerated where a reasonable means of escape was available to the plaintiff. If it could be shown that a reasonable person would have feared considerable humiliation or discomfort, then the courts have been sympathetic to find imprisonment.

At the same time, the current state of knowledge -- and, hence, legislation -- need not be accepted as an unchangeable status quo. It is clear that, in several of the movements, as well as many other areas of society, something is happening. Efforts must be made, with government assistance, by universities, individual scholars and others to demonstrate the legitimacy or emptiness of the brainwashing metaphor and to develop functional definitions of mind-manipulative practices.

HEALTH

In setting out the terms of reference for this study,

the Attorney General said:

The government has received particular expressions of concern in relation to the effects of mind development practices and the practices of sects and cults on the mental and physical health of group members...

The study had just barely begun its review of complaints in government files and its interviews with anti-cultists when it became clear that the concern expressed to the Government was substantial. It also was clear that many of those who complained were certain in their own minds that many practices of the movements were serious threats to the mental or physical health of members -- indeed, often were primary causes of mental or physical deterioration.

In the study's view, it seems highly likely that the experiences several former members reportedly underwent in various movements did contribute to health problems they suffered. The pivotal words here, though, are "contribute to." Many established and even broadly respected institutions -- universities, traditional religions and social organizations -- generate stresses that contribute to mental or physical ill health in some people. However, it is a long leap between acknowledging an organization's practices as a factor in some illnesses and flatly identifying them as the cause of illness. On the basis of the evidence involving the movements' practices, the study could not make that leap. The study could also not envisage any legislative forms beyond existing statutes that could effectively and fairly protect converts from the harm they might suffer if subjected to a group's practices

The following eight observations, drawn from the study's own research and that of Dr. Saul Levine, were, in large part, the foundation upon which these conclusions were based:

- * Relatively few of the people, who were studied by Dr. Levine and were or are in the groups under study, are known to have deteriorated psychologically. Those who did break down -- particularly in a mind development group known to have used confrontation techniques, verbal abuse and occasional physical abuse -- were succumbing to situations they found too stressful. Others, however, survived those same experiences with no apparent ill effects. It is likely, as Dr. Levine notes, that the number of people who suffered psychological problems is greater than the number known to have sought psychiatric or medical care. Still, it would seem that something in the personality of the individual -- a quality of unusual sensitivity or fragility, a toughness or a resiliency -- is a major factor in whether he or she will be harmed by a particular experience.
- * Only a small number of persons, who had been members but had left groups, related totally negative experiences. Most former members, even if strongly disenchanted with their movements on other grounds, were relatively healthy and admitted that their membership had some positive effects.
- * Most of those who became casualties or experienced

substantial psychological difficulty short of breakdown seem to have undergone personal crises in their lives prior to joining their movements. A few clearly had been unstable. Of the cases used by Dr. Levine in his sub-study, one-third actually had psychiatric histories that predated their involvement, although only a few of the study's own interviewees had such histories.

- * A substantial proportion of the active group members interviewed by Dr. Levine said they had been ill and psychiatrically distressed before joining but their health had improved subsequently. Dr. Levine noted that many said they slept better, ate better, felt stronger, were far less anxious, and had given up drugs. As well, they no longer felt alienated or demoralized. He also found that they felt a sense of self-esteem and spiritual awakening that was both novel and exciting. These observations were echoed in the study's own interviews with 45 active members of various movements.
- * Suggestions that regression, weight loss, alienation, inflexibility, and lack of adaptability, or deterioration of physical appearance were common among group members are challenged in Dr. Levine's report. These are not characteristics of most members of the various movements, he contends. Again, most active group members interviewed by the study seemed physically well and mentally alert. They were functioning well and, though doggedly

supportive of their movements, could discuss issues coherently. Dr. Levine does, however, acknowledge that members do exhibit such symptoms of the so-called "cult syndrome" in some cases and cautions against minimizing that as a cause for concern. Here, too, the study's observations matched Dr. Levine's.

- * Many of the 20 clinicians, mostly psychiatrists, interviewed by Dr. Levine were also questioned by the study. All, even the professed anti-cultists among them, agreed that many other institutions or organizations, which were accepted in society, engaged in practices that were assailed as dangerous when employed by various movements. Traditional denominations, faith healers, "respectable" psychotherapies, even fraternities and secret societies, had their casualties as well. And each year, some students who are unable to cope with pressures in universities -- especially law or medical schools -- suffer serious psychiatric breakdowns, even commit suicide.
- * Evidence in support of claims that the practices of particular groups were the sole or even significant factors in psychiatric problems suffered by some members is highly inconclusive. There is no doubt that practices such as confrontation, meditation, ecstatic dancing or chanting, can yield disturbing experiences. Some, such as confrontation, are intended to be disturbing. Indeed, there is little doubt that, given the appropriate personality,

some practices could exacerbate existing psychological problems. However, most clinicians Dr. Levine and the study interviewed argued that no clear and direct causal link had been forged between such practices and psychiatric disturbance. "The documentation," Dr. Levine says, "is not rigorous and conclusions regarding causation are certainly open to serious question."

- * Since, for whatever reasons, the conversion to a movement is usually sudden and involves a change of life-style, the physical and mental health of some inevitably will be affected, at least at first. For example the adoption of a vegetarian diet might shock the systems of some people in a way that would have a severe impact on their health. Similarly, adapting to the rigorous sleep and work patterns of some groups inevitably would prove at least temporarily debilitating for many.

However, none of those who reportedly suffered from adopting these life-styles seemed to have been physically coerced into doing so. At the same time, large numbers of active members, who presumably were living under the same conditions, appeared to be suffering no ill effects.

Conclusion

In the light of such observations, the study concluded that no new government measures were warranted involving the groups' impact on their members' health. This was the study's view about therapeutically-oriented groups and movements of a more exclusively religious nature.

A central factor in that conclusion was that there seemed to be no way of tracing a direct causal relationship between any group's practices and the ill effects they allegedly inflicted. Most members seemed to have had no such experiences and many claimed, in fact, to have benefitted from their participation. Additionally, there was no way of offsetting the force of claims that a casualty's pre-disposition to breakdown had made him an explosion waiting for something, anything, to set him off.

It is true with regard to at least one mind development group, that there was a strong enough circumstantial link between its practices and reported casualties that the case for legislative controls was arguable. However, whether in the case of this group or any other, the study doubted that there was any workable way to prohibit a particular group from employing any of its allegedly destructive techniques.

Assuming that the destructive practices could be defined for legislative purposes -- a doubtful assumption in itself -- it seemed to the study that neither of the two ways of achieving the objective was satisfactory.

On the one hand, legislators could attempt to prohibit the use of certain practices -- perhaps confrontation, meditation, and induction of altered states of consciousness -- by cultic groups. Then, however, the problem would become one of defining a cult. For legislators to attempt to do so inevitably would involve determining what constitutes acceptable religious belief, a matter into which government traditionally has not

intruded.

A second alternative might seem on the surface a more palatable approach. Again, assuming that dangerous practices could be defined, they would be prohibited unless undertaken by licensed, professionally-trained practitioners. In the course of its interviews, the study found that licensing was highly attractive to some of the persons interviewed. These people felt there was safety in professionalization because it would permit standards to be imposed on those who would undertake mind-affecting practices and would require them to screen out clients who were at risk.

However, it seemed to the study that this approach was unacceptable for many of the same reasons that resulted in the "Proposal for Legislation to Control the Practice of Psychologists in Ontario," (commonly known as "The Psychologists' Act, 1977"), being withdrawn. Many practices, employed by various groups to promote self-improvement and expand the mind, are generally the same as techniques employed by many non-professional, "respectable" organizations and individuals. Various clergymen, psychotherapists, community organizations, management training specialists and others, who qualify only as experienced laymen, also use the techniques. To restrict the practices in question exclusively to formally trained professionals would mean experienced laymen no longer could employ the techniques. Even the professionals consulted by the study agreed that to ban such non-professional counselling and therapies would unduly restrict the freedom of the individual to seek

solace and assistance where he chooses. It would also make some highly effective practitioners unavailable to him.

The study also had some serious doubts about the effectiveness and legitimacy of any attempts that might be made to control the abusive use of certain techniques. It doubts whether these techniques should be controlled by requiring their practitioners to be licensed. It agreed with Dr. Levine's following observation:

Various professional guilds have attempted to get around being lumped with the questionable practitioners of the art of psychotherapy by requiring licensure, as mandated by law. This has proven to be of limited benefit, if of any at all. Paradoxically, some evidence shows, that licensing maintains a structure that is in the self-interest of the service provider and may even oppose the public interest. Licensing may result in the institutionalization of a lack of accountability to the public. It may encourage elitism and higher fees, discourage innovation and progress, obfuscate malpractice, discriminate against the disadvantaged, and severely limit the contribution of paraprofessionals. Recently statutory regulations by licensure or certification have been burgeoning, but abuses do not appear to have been curtailed in any way. There is also some sentiment, albeit controversial, that psychotherapy has not yet reached the stage of definition of techniques and responsibilities that would merit licensure.

Dietary Concerns

While considering the legitimacy of new legislative action in this area, the study also had to take into account that members of the movements had not been forced to undergo or adopt their groups' practices. Thus, those who allegedly suffered the so-called post-cult syndrome -- feelings of depression, anxiety and lack of well being -- as a result of adopting the life-styles of radically unconventional religious

movements had to be considered victims of self-inflicted harm. Similarly, those who experienced problems with physical health, as a result of having adopted vegetarian diets or other radically new regimens, could not be relieved of responsibility for their own conditions.

It is especially difficult to deal with matters relating to changes in diet. Concerns were expressed by numerous parents regarding the dietary practices of their children after they had joined the cults. Unfortunately, our society is replete with food fads, special diets, and organizations -- not necessarily mind development groups or new religions -- that promote them. So widespread is the problem of questionable dietary practices, including the nutritional practices of some parents in respect to their children, that it was felt no fruitful legislative approach could possibly cover the matter. Under existing child welfare legislation, parents are liable in this regard for underage children, but little can be done for adult members in groups who voluntarily undertake new and perhaps hurtful food practices. The study noted that few of the former group members it interviewed complained of damaging food or dietary practices during their stay in the groups. Contrarily, a number commented that they were well and amply fed.

The Civil Law Avenue

None of this means that a member does not have recourse to law when he feels his mental health has been impaired through the negligence or maliciousness of leaders of

his group. Making a case for such a claim in court may be difficult. However, in his paper for the study, Professor Weisstub provides substantial reason for believing it can be done in some circumstances. He suggests the avenue would be civil law.

"Perhaps the most forceful avenue available to common law courts," says Professor Weisstub, "is to pursue defendants who have wilfully set out to damage the psyches of their victims." He explains that until the end of the 19th century, Commonwealth courts were highly reluctant to allow damages for mental inflictions, but a substantial jurisprudence has been produced since then.

Describing factors that might dissuade complainants from undertaking civil suits, Professor Weisstub says Commonwealth courts have not gone as far as U.S. courts, which have granted recovery for extreme and insulting behaviour. Instead, they have attempted to restrict jurisprudence to cases in which there was some physical manifestation of suffering. "It is unclear what the Canadian response would be in the event that a case could be produced of intentional infliction, where grief was extensive, the indignity substantial, but insufficient to require medical treatment," Professor Weisstub says.

However, indicating possible areas for successful suit, he adds:

If the courts would be hesitant to grant recovery, a lesser claim could be given relief through the doctrine of negligence. It is already established in Canadian law that a defendant will be held liable if it is reasonably foreseeable that nervous shock

as opposed to any physical injury would be the result of his actions.

In the course of its interviews, the study heard a few such complaints -- mostly about a mind development group. If these complaints were true, strong civil suits could be made according to Professor Weisstub's analysis.

A group, faced with such a suit, likely would attempt a defence on the grounds that the plaintiff consented to undergoing the risks. However, Professor Weisstub notes:

If it can be demonstrated in any situation of trust that the defendant was fraudulent or deceitful, then the consent will be vitiated in law. Unless there is sufficient information that can allow the plaintiff to make a free and informed choice, a present day court will hold the view that the plaintiff was moved to action without full and conscious volition, and possibly under coercion or duress. Courts have broadly determined, especially in cases involving risk, that the higher the risk, the greater the demand for complete disclosure.

It would seem, then, that while legislative approaches currently are not feasible, there is hope of building on our common law experience in this area. It will require that persons who feel their health has been impaired by movements be prepared to start suits and that lawyers, taking such cases, wield the common law imaginatively.

Data Collection Urged

The study was uneasy about the fact that its conclusions involving new legislation in this area were generally based on a lack of information. As Dr. Levine noted, that "the documentation is not rigorous..." Clinicians in Ontario

have not developed detailed symptomatic and treatment profiles of patients whose conditions seemed related to mind development or other techniques associated with the movements and, for that matter, other organizations. In the study's view, efforts should be undertaken to collect such documentation and the Ministry of Health should be at the centre of the effort.

The study feels that the Ministry could be the co-ordinator of research -- sometimes its sponsor or source of funds -- in this field. Among other things, it could devise methods of collecting and studying data from case histories, which are related to serious psychiatric problems in former and present group members reported to it by clinicians around the province. Serving as a central repository for such information, it could attempt to determine the extent to which requests for treatment arise in relation to certain kinds of practices.

Additional Action Advised

The study also considered the fact that Ministry officials believed existing health legislation -- The Hypnosis Act, The Health Disciplines Act, The Mental Health Act -- to be largely ineffective in protecting members of movements. Here, as in the case of any new legislative measures one might conceive, the problem seemed one of legal definitions. "Hypnosis" is not defined in the legislation, so it is difficult to contend that what any group does constitutes hypnosis. Even the "practice of medicine," which is legislatively restricted to licensed practitioners, appears to Ministry officials to be an unclear term and thus legally difficult to administer.

However, the study felt that, notwithstanding definitional uncertainties, the Ministry might be well advised to press some of its statutory powers against the more extreme practices alleged against some groups and test the effectiveness of its legislation in court. Some case law might well help legislative draftsmen evolve sharper definitions of what constitutes the "practice of medicine," for example.

At the same time, the study was interested in a suggestion from the operator of a mind expansion company that mind development groups form a council to "clean up our act and put pressure on those few groups that are giving all of us a very bad name." The likelihood of such a council being formed was not great, even according to its promoter. However, if given appropriate media publicity, an effort to establish a council might result in helping the public to distinguish between credible groups and others.

THREATS TO SOCIETY

Potential for Violence

Although the study was commissioned shortly before the horror of Jonestown occurred, fears generated by that macabre happening could not help but influence many perceptions conveyed to the study in interviews and submissions. Even long after the event had ceased being of interest to the media, the currents of concern that it had aroused continued to run through much of the advice the study received.

Among some, revelations of what had happened at

Jonestown simply prompted the questions: Could it happen here? Could members of a cultic group operating in Ontario be driven to mass suicide and murder at their leader's urging? To others, the questions Jonestown raised had broader implications: Can whole societies be corrupted, driven to aberration by cultic movements? Do such movements have the capacity to pervert or undermine the legal and ethical foundations of an entire community? Are they, in other words, a threat to society as a whole?

In the study's view, there is no doubt that mass madness and group paranoia are a possibility wherever certain factors -- charismatic leadership, fanatical adherence to a cause, a real or imagined threat from outside -- come together. And it is clear that society is at risk when groups with such factors have mass followings or any significant measure of social or political influence.

Yet, having said that, one has described only what could happen, not what inevitably or even usually does happen. Additionally, one has described the potential of a range of social, religious and political associations that encompasses many more organizations than just cults, sects, mind development groups or new religions. One could just as readily hypothesize about a similar threat emerging from among participants in a racial movement, a fringe political party, a militantly fundamentalist religious group, or even an association of national security personnel. Indeed, the potential in such themes has not escaped fiction writers who have woven them into some

frighteningly credible novels. But the response of society in these other instances quite correctly is a policy of non-intervention until there is evidence that the threat is actual, not hypothetical. So it must be with cults, sects mind development groups and new religions.

Thus, the answer to the question about whether any of the movements within the study's ambit could succumb to a group madness and threaten society in some substantial way must be a highly hypothetical "yes." The answer to whether we should or even can implement legislative safeguards to render such a potential illegal must just as decidedly be "no." A democratic society does not penalize its members for what they are capable of doing. Moreover, existing laws governing matters such as the possession of weapons, infliction of harm, counselling violence, threatening or harassing seem sufficient at this time to cope with the challenge if a potential were to become actual.

The Police Perception

To determine whether any of the groups under study pose a threat to the peace and order of the province, the study turned to the police. After reviewing material from 16 district offices of the Ontario Provincial Police, the force's headquarters in Toronto, and 22 municipal police forces, the study found little evidence that the movements or any single movement constitute such a threat. In fact, although the study has reason to believe that a few groups have committed fairly

serious violations of consumer and fraud laws, four police officers, who had been watching these groups for years, said they had uncovered no evidence to warrant formal charges. At least one group had been raided by the police under the authority of a proper search warrant and the organization's documents were seized. Ultimately no charges were laid, no proceedings were started, and the material was returned.

Certainly, police in various parts of the province have laid charges against some groups, but most of these have been in relation to minor infractions, such as bylaws covering soliciting, impeding or obstructing traffic or selling goods. Of the 14 groups examined in the study, seven have run afoul of the police to some degree; criminal charges relating to acts of kidnapping or abduction were laid against members of two groups. Interestingly, though, insofar as the study could determine, there had been six other charges laid by police in connection with acts of abduction -- all against parents, relatives or friends attempting to remove members from movements.

In general, police reports submitted to the study indicated that, if the authorities found cults, new religions or other such groups a problem at all, it was more as a nuisance or an irritant than as a major threat to the public welfare. Even at that, police often seemed capable of handling difficulties by simply warning members of a group that their behavior might be in contravention of the law.

Indeed, a number of municipal police forces stated that the groups in their area seemed basically law-abiding and transitory in nature, while others, the large, well-financed international religious and meditation organizations, were more permanent and entrenched in the community.

Despite claims of some anti-cultists, there certainly was no significant evidence that any group was seeking unduly to influence government, much less to gain political power for itself. It did seem that one international religious movement had fostered selected political causes -- national unity among them -- and that a meditation movement had sought to sell its programs to governments. In neither instance, though, was there evidence to support inferences that these activities were, in any sense, treasonable. Both groups were exercising their rights and, insofar as the study could discern, neither had exceeded them.

In view of information brought to the study that may not have come to the attention of the police, there is reason to believe a few groups may well be involved in unacceptable activity of a fairly serious nature. However, there seem to be ample criminal laws to cope with such activities.

No Need for Legislation

The study also noted that those senior police officers, who perceived fraudulent or other illegal activity on the part of some of the groups, called for more money, increased staff, and continued surveillance. Some felt that a public inquiry

might be helpful but none deemed it necessary to seek additional police powers or new legislation to deal with new religions, cults, sects or mind development groups in the province.

If police had any impediments in their efforts to curb breaches of the law, they seem to be difficulties associated with getting the necessary evidence to warrant laying charges. Even in this regard, though, neither the study, nor, for that matter, police spokesmen could envisage new and legitimate legislative action that would resolve such problems.

There were, however, some non-legislative approaches that the study felt might make police officers feel more comfortable operating in this field and make their investigative efforts more effective. It was clear that many officers felt they were without direction when dealing with complaints involving cults, sects, mind development groups, new religions or deprogrammers. As indicated earlier, when caught in disputes involving groups, members, parents and others, policemen frequently felt themselves in "no-win" situations. It also seemed to the study that, insofar as one or two major religious groups were concerned, police may have been less than appropriately ardent in their investigation of complaints because they feared being seen as persecutors of unorthodox religions.

Conclusion

The study felt, therefore, that while the police needed no additional statutory powers at this time, they did need special education and guidance involving the movements and deprogramming. In the provision of such training, police

colleges and in-service programs could address themselves to issues such as: the scope and limitations of freedoms of religion, conscience and association; the applicability of various statutes to the practices of the movements; the structure and practices of various kinds of movements; and the handling of emotion-laden confrontations between members and parents.

While commenting on the problems and performance of police, the study also must note that generally police seem to have acted in a fair-minded manner in their dealings with groups. The study is concerned about reports from some groups that policemen have abused and harassed members.

If these reports are true, such actions may constitute violations of the victims' rights and would call for appropriate disciplinary action. At the same time, it is gratifying that the majority of group members and official representatives, interviewed by the study, said the police had never attempted to interfere with their religious or other rights in any way.

THREAT TO THE FAMILY

With parents, siblings and spouses testifying about the alienation of group members from their families, there would have been reason enough for the study to conclude that some movements do actively promote the breakdown of family relationships. Additionally, though, former members -- many of whom had been officials in their movements -- often provided abundant credible testimony about this.

It should be said that not all groups appear to be hostile to their members retaining ties with their families. Some apparently urge adherents to retain family contacts within constraints imposed by group participation. As well, the study found that a whole family were members of a single movement.

When alienation does occur, the group may be just a passive participant in the process. In such cases, the member simply transfers his allegiances to the movement, forsaking family for a more satisfying relationship. The family may foster alienation more than the group by attacking the member's new beliefs, his leader or other members with whom he has formed a close, emotional attachment.

It is clear that some movements purposely isolate members from their families, preach against family loyalties as evil, or actively encourage hostility toward parents and other relatives.

Whatever the causes, such alienation can strike a family as a full-scale tragedy and the study staff frequently were deeply moved by the anguish of parents or others who had experienced such a loss. The study also recognized that a family breakdown can have dire medical, social and other consequences that are felt not only by its members, but by friends, employers, business associates, and creditors. Moreover, treatment of problems arising from family disruption can necessitate professional intervention, often at some cost to the public.

Conclusion

Given all that, are movements to be considered a threat to society that calls for government intervention? Not in the study's view.

The study concluded that despite the impact certain groups clearly have had on individual families, their effect is not of such a magnitude in Ontario that it puts the family, as an institution, in jeopardy.

As basic as the nuclear family may be to the social and economic structure of this society, it is not and should not be considered unassailable. The groups may assault the idea of family and familial responsibilities for questionable motives or out of deep religious conviction. It matters little in this context. They are within their rights to expound any view of the family and to attempt to persuade their adherents to adopt those views by any means short of physical coercion. Currently, there is no reason to believe that the threat the groups may pose to society is of such a magnitude that it warrants limiting those rights.

It also must be acknowledged that the "children" whom various groups have been accused of luring away from their families almost all have been adults, legally responsible for their own actions. Their choices may constitute tragic errors; they may cause immeasurable pain to those who love them; and they may be acting on the basis of distorted and bizarre interpretations placed on their family relationships by their group leaders. Yet, insofar as public authority is concerned, their

decisions are in the realm of emotional relationships, an area in which state intervention is inappropriate and perhaps unenforceable.

Finally, for those who still would urge action against cults, sects, mind development groups or new religions for what they reportedly do to families, there is a further sobering thought. Several clinicians told the study that many of the more "respectable" therapeutic groups such as encounter, primal therapy or sensitivity have affected families in the same way as some of the movements. Moreover, some of these less controversial groups have operated out of traditional churches, at least in Metropolitan Toronto. And Dr. Levine, commenting on the same phenomenon among other groups not within the ambit of this study, reports:

...this author has been visited by frantic parents whose sons or daughters belong to fundamentalist Christian communes or who have become born-again Christians, or belong to offshoots of the Lubavitch Orthodox Movement in Judaism.

DECEPTION AND FRAUD

To the majority of former group members interviewed by the study, deceptive recruitment and fraudulent financial dealings were the most objectionable of the many dubious practices attributed to the movements. Perhaps that occurred because deception and fraud are the most widely practised abuses. It may have also been that the victim's pride is the part that is hurt the most. Or it was because these offences are among the least abstract and most clearly definable of

those the groups are said to commit.

Complainants, supporting their allegations often made most convincing cases. Several persons elaborated in considerable detail on the undelivered inducements which were offered to make them increase their financial commitments to the movements. Sometimes it was to the point of turning over property or other assets. Many presented documents -- contracts, receipts, internal organizational directives and memoranda -- to support their statements. Several who had been close to the administrative workings of their movements described from first-hand knowledge the evolution and operation of deceptive or fraudulent schemes.

In the final analysis, the study could come to no conclusion other than that some groups do indulge in questionable financial practices. They dupe people into joining their ranks, using gimmicky come-ons and extravagant claims. They bilk members of their money and possessions, sometimes reducing them to penury. They lie to the public, financial institutions and even governments to enrich their treasuries.

Recruiting and Deception

In the area of deceptive recruiting, the study finds less cause for immediate concern in Ontario than it does involving financial fraud or deception. For the most part, the movements the study examined appear suitably honest when they approach potential recruits. Members identify their movements, offer literature revealing the group's identity and answer questions directly. In fact, recruits in many instances

could not help but know the identities and other details about groups seeking them as members because often they are recruited by friends or relatives already in the movements.

Still, a few of the movements the study examined are not entirely honest when seeking recruits. These few do disguise the fact that they are recruiting. They do obscure the identities of their movements, sometimes using their groups' formal and little-known names. Seldom, in the early stages of the recruitment process, do they spell out in detail what membership in their ranks entails.

In these cases, anti-cultists and others argue that legislation should require recruiters to identify their groups and disclose their true nature. However, while the idea has a superficial appeal, the study considers it entirely inoperable. Many groups are known by several names. What name would they have to use in order to comply with such a law? To what extent would a recruiter have to describe his group's credos and practices before he could be considered to have demonstrated its true nature? Are we prepared to ensure that everyone who enters a revival meeting or a charismatic church has sufficient knowledge of what he will experience within? Perhaps the complexities of legislating in this area are best summarized in the testimony of Jeremiah Gutman of the American Civil Liberties Union before a U.S. Senate Committee on the new religions:

If I am a member of any church organization, or any organization for that matter, and I meet someone socially and start to discuss a subject and it occurs to me that this person has some

interest in an area in which my church or my group has an interest, is the Congress to say that there is some point at which I will be committing a crime if I do not say, "By the way, I am a Catholic, I want you to know that before I go any further in discussing this issue?"

The extent and character of financial deception and fraud practised by some groups, though, did generate far more serious concern for the study.

To be fair, it must be acknowledged at once that there is no evidence to support such allegations against some of the groups in this study. It also should be noted that while members of some other groups do indulge in comparatively minor forms of deception and fraud, it is not in the basic nature of the groups to do so. That is, these groups appear to have credible religious or therapeutic orientations to which their deceptiveness is not essential. This does not, of course, make the deceptiveness and fraudulence acceptable. But it does distinguish such groups from a few far more malevolent movements the study examined. In these movements deception and fraud are endemic and carried out on a substantial scale. All energy is devoted to the pursuit of more members and, through them, more money to enrich the leader and his lieutenants. It appears to be why these group exist at all.

Techniques, employed by these groups, include hard-sell methods, unconscionable contracts, loan frauds, tax law manipulations and falsified book keeping. Most were described earlier in this report and need not be elaborated further here. Suffice to say, they constitute an impressive array of unacceptable practices which cannot be shielded by appeals to

civil liberties nor countenanced by the state.

Conclusion

Is this, then an area in which the government must introduce new legislative measures? The study does not believe so.

Earlier in this report, the study set out a series of provincial and federal statutes under which a wide range of deceptive and fraudulent practices were prohibited. It was a substantial list, yet, even at that, probably not exhaustive. In addition, Professor Weisstub demonstrates avenues for redress that lie open through the civil law for those who believe they have been defrauded. Accordingly, it is the study's view that both government and members of the public already have recourse to law if an injustice has been done. To the study, access to civil law remedies for young persons emerging from the groups without sufficient funds appeared to be a problem. As a result the study reaffirms the position taken by the 1974 Task Force on Legal Aid conducted by Mr. Justice J.H. Osler of the High Court of Ontario, recommending the broadening of the categories for civil actions under the legal aid plan. In the study's view legal aid should be available to any person in financial need, who chooses to take action against a group and qualifies under the financial terms of the legal aid plan. Access to the plan should be especially made available to young people.

But while the study cannot conceive of any new legislative measure that would be both necessary and workable, it does

believe new initiatives on the part of officials administering existing legislation might be in order.

In the course of its research, the study developed a strong impression that police had been dogged in their investigations of a major international religious movement. To the study's knowledge no charges alleging criminal offences have been laid against that group. It was felt that in addition to the difficulties of evidence-gathering in this respect, there had also been a concern on the part of the police that they would be assailed for religious persecution, if they pressed their case fully. If so, the concern reflects an uncertainty among police -- as well as many other institutions -- about the strength of their own case and the reality of civil liberties principles in such matters. As noted earlier, a religious orientation does not shield groups or individuals from the responsibility to act in accordance with law, from investigation where there is sufficient reason to believe they have broken the law or from prosecution where evidence exists.

Present Laws are Sufficient

The study also had some questions about how effectively laws prohibiting deception in the market place were being administered. In the field of consumer rights protection, the province has enacted legislation that would seem to afford avenues of effective redress from many of the abuses alleged against groups in this study. The Business Practices Act and The Consumer Protection Act are designed to prevent deceit, inequality and unconscionable contractual arrangements in the

market place by prohibiting a wide range of unfair business practices under threat of penalty. These statutes imbue their administrators in the Business Practices Division with extensive investigatory powers. And they also empower tribunals, which have all the powers of commissions under The Public Inquiries Act, to investigate complaints and make enforceable orders on the basis of their findings.

In terms of its scope and potency, then, consumer protection legislation in Ontario seems to be substantial. Similar legislation in other fields certainly has proved to be so. For example, in all essential respects, the powers given the Business Practices Division to combat unfair business dealings are equivalent to those given the administrators of the Ontario Human Rights Code to combat discriminatory practices. When vigourously and imaginatively administered, the Code has been a highly effective vehicle for gaining redress for victims of discrimination and enforcing compliance with public morality from those found to be practising discrimination.

Given the potential of such legislation, the study wondered why there has been so little action taken under consumer statutes with regard to complaints against some movements, particularly those marketing mind development courses. There can be no doubt that mind development groups fall within the purview of the legislation. Even those movements that claim to be religions and characterize the money they receive for courses as "donations," not fees, come under the legislation. And many complaints the study heard were credible accounts of

unfair business practices as defined in the statutes. It also seemed to the study that some groups or their members should be registered as "itinerant sellers," as described earlier in this report, yet none are.

Public Education Campaign Urged

It could well be that some part of the inactivity in this area is attributable to the consumer's lack of awareness of statutes and rights under them. Insofar as this is so, the study suggests that the Ministry of Consumer and Commercial Relations conduct a public education campaign to alert the Ontario community to the protection the law affords and to the kinds of practices it might encounter in movements and other organizations. Such a campaign would not only raise public awareness, but would serve notice on all organizations involved in such dubious practices that deception was no longer good business. The study firmly believes that the Ministry could be as effective a public educator in this field as it has been with aluminum siding and car transmission firms.

However, a lack of consumer awareness cannot explain why the legislation has had so little impact on the questionable activities of some groups. Under the legislation, the Business Practices Division can initiate investigation and undertake action on its own. To date, no instances have appeared to show the vigorous enforcement of existing legislation against the conduct of some groups. But clearly some consumer complaints, brought to the Ministry and to this study, fall within the ambit of existing legislation.

To a large extent, then, the problem of an absence of prosecution may be rooted in a lack of public familiarity with Ontario's consumer legislation and the government's policy of application of these laws to cults, sects, mind development groups and new religions.

Again, it must be stated that the religious orientation claimed by some groups does not exempt them from the obligation to observe the law in their commercial dealings. In this regard, the current laws appear to give the division ample scope and powers to serve consumer interests in this field as fully as in most others. The statutes must, however, be administered more forcefully and with greater interpretative insight. The division cannot, of course, press weak or ill-founded cases. But, at the same time, it must be prepared to test the limits of its powers. It cannot await unassailable evidence in all instances. On occasion it must proceed at least to the tribunal stage -- perhaps even to prosecution -- in cases where the preponderance of evidence supports the complaints. As experience with the Ontario Human Rights Code has shown, it is only in the judicious use of such legislation that its legitimate applications and full power will be manifested.

The Tax Problem

The study also was concerned by indications that federal monitoring may not be thorough enough to spot abuses of the tax-exempt status accorded to groups claiming to be of a religious, charitable or non-profit nature. The study had been given sufficient evidence to raise strong suspicions that some groups were profiting substantially from such abuses. Accordingly,

it sought information necessary to sustain or squelch such suspicions from the federal Department of National Revenue which administers The Income Tax Act. Because of confidentiality requirements in the Act, the department could not make all the information on a group's tax returns available. In fact, the vital document -- the group's financial statements -- could not be released. However, those parts of the movements' returns that could be made public seemed incomplete in several instances. The study also was given the strong impression that the detection of an abuse by National Revenue would be an unusual exception rather than the rule under the department's system of spot-checking and auditing returns.

It is recognized that provincial officials have no authority in this matter. However, the study felt that it would not be inappropriate for the government of Ontario to express its concern to the federal department and initiate consultation on how the problem might be resolved. It seems clear that greater vigilance is called for -- not just with regard to the movements examined here, but likely for many other organizations enjoying a privileged tax status.

It was in the context of comments regarding the movements' tax status that many complainants and others suggested to the study that tax exemptions for religious organizations be withdrawn. It was argued that if churches and religious bodies were no longer tax-free, cults maintained solely to feed their leaders' greed would find the "religion business" decidedly unprofitable and would fade. The argument has an undeniable logic. But judgments, involving tax exemptions

for churches and religious bodies have ramifications far beyond the scope of this study. Consequently, the study notes the proposal but draws no conclusions regarding its merits.

At the same time, it also is pointed out that a number of traditional churches have begun opening their books for public inspection. The practice should be encouraged. The study would not propose the enforcement of such disclosure through legislation. However, it supports the principle expressed in the 1978 report of the Jewish Community Relations Council of Greater Philadelphia.

...we believe that all tax-exempt, non-profit groups, including religious groups, should be required to disclose at least the basic outlines of their financial situation to the public as one of the prices they pay for the public trust implicit in the awarding of tax exemption and deductibility of contributions. These disclosures may not affect the way religious groups allocate their financial resources, but they do give potential contributors a reliable source of information upon which to base their money allocating decisions.

DEPROGRAMMING

Of all the matters delegated to the study for examination, the practice of deprogramming seems to come closest to being a non-issue. The questions of legality and morality the practice raises are not inconsequential. As well the subject is capable of generating heated debate among anti-cultists and their nemeses. Indeed, the questions involving deprogramming are fundamental and the debate about it sometimes becomes inflammatory. Still, deprogramming is a virtual non-issue because the practice -- at least as it is allegedly performed

by Ted Patrick and advocates of his technique -- seems to have diminished, perhaps disappeared altogether, in Ontario.

To the study's knowledge, since 1975, eight deprogramming attempts involving abduction or assault in Ontario have been brought to the attention of the police. In 1977 the Minister of Manpower and Immigration banned Patrick from entering Canada to practise his skills. Moreover, as far as the study could discern, there never were more than two "professional" deprogrammers resident in Ontario, and both now seem to be out of the business. The more professionally established of the two, a Bible expert with an international reputation, explained that deprogramming was no longer profitable. In addition he told the study the demands on his time were too great for a family man and he could no longer tolerate threats to his person or threats of law suits he said he received from various movements.

It is possible that other deprogrammings have taken place in Ontario, but the likelihood of them occurring without media publicity or movement exposure is remote. Indeed, the Canadian cases used by movements in their anti-deprogramming propaganda, are so few that the same ones appear repeatedly and are beginning to look somewhat dated.

Still, deprogramming has been practised here and could well recur. In addition, the study heard cogent arguments about deprogramming's advantages and disadvantages. Consequently, the study examined deprogramming in some depth and formulated conclusions regarding its legitimacy in the light of the law

and civil liberties principles, proposals for legalizing it, and possible alternatives to it.

When deprogramming has occurred in Ontario, it often has entailed acts such as kidnapping, abduction, involuntary confinement and physical assault. In fact, the only charges police have laid, involving the movements and acts of violence, have been brought against participants in attempted deprogrammings and not the movements.

In virtually all of these attempts, the deprogrammings were requested by parents and involved persons, who were legally adults. In such instances, the parents seem to have acted on what they believed to be their right to "reclaim" their "lost" children. They believed it was their responsibility, as parents, to safeguard their children from harm. The study recognized and could not help but be deeply moved by the awesome emotional impact that the "loss" of children to various movements had on many parents. The hostile radicalism of some groups, their closed nature and tendency to alienate children from parents, undoubtedly would make such a loss unbearable to many people and would prod them to take extreme measures. As Dr. Levine comments:

Anyone who has worked extensively with cultists and their families can easily see how parents are driven to this alternative. It is very difficult for a mother and father to see their child, following years of upbringing, shared joys and pains, love and aspirations, enter a way of life, which they consider sinister and dangerous. It is a frustrating and poignant situation.

Opposes Forced Deprogramming

However, for all the sympathy and understanding parents

in this situation may evoke, the study cannot condone forced deprogramming as a way of returning anyone to his family. Insofar as a deprogramming involves violence, false imprisonment, or other offences against the person, it is clearly a violation of the law, no matter who carries it out or commissions it. It also is an assault on the fundamental rights of the individual to believe as he chooses, to practise that belief within the constraints of law and to join in doing so with others of his choosing. Such a conclusion was not a comfortable one to draw with regard to some movements. Still, it was gratifying to the study to find that many fervent anti-cultists and saddened parents of active group members -- some of whom had considered commissioning deprogrammings -- had come to the same conclusion.

There are many, of course, who contend that deprogramming is not a denial of freedom but a justifiably forceful intervention or therapy designed to restore freedom of thought and action to those deprived of it by mind control techniques. They subscribe to the "doctrine of justification" which deprogrammers sometimes have used successfully in U.S. courts to defend themselves against criminal charges arising from their practices. They believe that the Criminal Code should be amended to include a defence of necessity for parents who take otherwise criminal measures to remove children from mind control situations. As noted in a review of the law in an earlier section of this report, the Criminal Code already allows a limited defence when a parent abducts his child, who is a minor. However, at least one provincial Attorney General suggests that this provision should be extended. He believes

the age of the child should not matter so long as the parent can show that his actions were based on legitimate parental concern for the welfare of his offspring.

Some advocates of legalized deprogramming go further still. They propose that conservatorship statutes be implemented here, as in the U.S., to enable parents to apply for legal custody of adult offspring who join cultic movements. Some of the conservatorships granted in the U.S. have entailed deprogrammings.

To all of this the study is firmly opposed. It believes that if any effort to disengage a member from a movement seems warranted, it should be attempted under existing civil commitment procedures. In such cases, an individual may be involuntarily committed if it can be shown that his mental state makes him a threat either to himself or others. However, as Professor Weisstub observes in his paper, 1978 amendments to The Ontario Mental Health Act established extremely rigorous criteria by which incompetency is to be judged. Making a case for the committal of a member of a movement would not be an easy matter. Nor should it be. The study agrees when Professor Weisstub says: "In moving to rehabilitate the mind and emotions of the vulnerable, we must, in the face of our principles...distinguish very carefully treatments of a medical nature from interference with belief systems."

While forced deprogramming is repugnant to the study, that does not preclude the use of other, physically non-coercive methods of bringing members out of movements or at least helping

them and their families come to terms. Sometimes referred to as "legal deprogramming" or, more suitably, "mediation," these techniques usually involve third parties -- family friends, clergymen, family doctors or trusted teachers. Most often, the mediator's role is to talk the member out of his group. To get him to return home or to a neutral place, deception sometimes has been used but not abduction or forceful detention. The group member must be free to leave or not to participate in discussion.

Other Alternatives

Perhaps a more constructive alternative to deprogramming is represented by the Berkeley Interfaith Council in California, an organization involving traditional and new religious groups. The Berkeley council operates a referral service devoted to bringing members of groups and their families together for discussion in the presence of neutral mediators selected from a panel the council maintains. The mediators arrange meetings between group members and their families in neutral locations. The mediator's sole concern is to restore frank and open communication between the member and his family, whether the member remains with his movement or is talked out of it.

The Berkeley council has also been successful in finding members of religious groups for their families. The council, it seems, can employ conflict resolution strategies that neither families nor anti-cult organizations can command, largely because it has members from both traditional and new

groups and therefore is to be trusted.

Although the approach does not guarantee success, the study feels it has merit and should be considered here. It obviously is not appropriately a government venture, but should be initiated by representatives of the so-called mainline and new religions.

But even while recommending a new kind of venture to help ease tensions between members of the movements and their families, the study believes the existing role of counselling services might be expanded. The study received few responses to its inquiries about the experiences of private social agencies with the groups. Of 262 agencies contacted, only 78 responded and few had positive proposals or programs to help parents or young people seeking assistance in this area.

That quite likely occurs because family and child service agencies have not yet had many requests for help in the resolution of problems involving the movements or deprogramming. The Family Service Association of Metropolitan Toronto, for example, says that of approximately 8,000 cases it handles annually, 15 per cent involve teen-agers and only two per cent of those cases are associated with the movements.

But it hardly seems likely that the paucity of demand for services in this area is a reflection of the level of need. Clearly family-child problems exist in greater number than agency experience suggests. Just as clearly, they are problems involving family relationships of a kind with which counsellors

in such agencies are supposedly trained to cope. Police are encountering them and according to officers the study interviewed, they are being asked to perform social work services for which they are not trained. Anti-cult organizations also are receiving requests for help in family conflicts involving the movements, but they are hardly in a position to act as disinterested mediators. Even the study received up to a dozen calls in some weeks from distraught parents seeking advice and assurance, but it was not in a position to serve either. The study noted that some families said they had turned to everyone for help but seldom, if ever, had they turned to family and child service agencies. For that matter, they seldom, if ever, seemed to have been advised to do so.

Accordingly, the study felt that Ontario social agencies in the field of family and child services should examine their programs in an effort to make them more responsive to problems associated with the movements. Their staffs should acquire a balanced understanding of matters such as the legal and ethical issues at stake or the effect group membership can have on the individual and his family. And the agencies should undertake to make their services in this regard known in appropriate quarters among police officers, lawyers, doctors, clergymen and educators.

GENERAL CONCLUSIONS

In the light of the evidence at hand, there seems to be no area in which the people of Ontario would be served by

the government implementing new legislative measures to control or otherwise affect the activities of cults, sects, mind development groups, new religions or deprogrammers. To the extent that the movements and deprogrammers foster problems that are susceptible to legal resolution, the criminal and civil law appear already to afford sufficient avenues of punishment and redress.

That is not to say current law is sufficient to cope with all vexing problems in this field. The study still is disturbed by questions surrounding the concepts of cultic brainwashing, mind control, mental coercion and hypnosis. It remains disquieted by the wanton use of confrontation techniques by some groups. It is convinced that some movements are, as their detractors say, corrupt, even pernicious. It has no doubt that some leaders are false prophets who lure bewildered people through a maze of absurdities, waste talents and abuse intellects for the sake of some self-gratification. All that and other unresolved problems leave the study feeling somewhat uneasy.

However, the study can conceive of no new laws that would be warranted under the criteria set out earlier in this section. One of those criteria required that legislation to restrict the movements' activities include clear definitions of the practices to be prohibited and, where necessary, the groups to be restrained. Yet, none of the sources the study consulted, including many psychiatrists, were able to define concepts such as brainwashing or mental coercion in legislatively

functional terms. None could propose ways of distinguishing between qualified and unqualified users of mind development and other techniques that would not bar "respectable" practitioners from using them. They could not, for that matter, define a cult, sect or new religion for legislative purposes in a way that would satisfy the dictates of justice.

A second criterion, set by the study for new legislation in this area, required that the evil to be contained would have to be of such size and importance that any restraints, which statutes might impose on human rights and freedoms, would be acceptable. There were practices that clearly could be damaging to some who undertook them. There were beliefs that most people likely would find bizarre, even unsavory. And some people unquestionably had suffered as a consequence. Yet, to intervene in such matters would involve government as an arbiter in determining the appropriateness of personal choice and belief. The evil, the study had to conclude, was simply not of sufficient magnitude.

The study found support for its position in the final report of the Committee on the Healing Arts, which was submitted to the Ontario government in 1970. The committee, which had inquired into practices of several sectarian healers, faith healers, spiritualist groups and new religions, concluded:

The possibility of producing harm does not in our view justify the prohibition of the practice; effecting of harm does. Where there is evidence of a minimal amount of harm the two interests, the right to freedom of choice on the one hand and the interests of society in preventing harm on the other, must be weighed. Where the harm is real, but on the whole, insignificant, and this is always a question

of judgment, it is our view that the freedom of choice should not be sacrificed.

Furthermore, police, who were contacted by the study, did not envisage a need for new legislative action. Religious leaders, clinicians, educators and other professions most often warned against it. Even the more ardent anti-cultists found it impossible to propose statutory measures which would not unduly limit freedoms, not only of the groups and their members, but others in the society as well. Certainly the study could not devise any.

None of the 32 Ontario Crown Attorneys, who answered the study inquiry, indicated a concern that the groups were menacing society. Similarly, 47 U.S. Attorneys General, who responded to letters from the study, said their jurisdictions had not passed statutes to curb such groups.

Unfortunately, eternal vigilance is not the only price of liberty. Casualties also are a cost. The society that values its freedoms must accept that it cannot always protect those of its members who voluntarily relinquish their independence, devote their assets to empty causes or engage in practices that cause them harm. Where matters of faith and association are involved, the individual who is truly free is free not only to enjoy, but also to suffer from his choices.

None of this means, of course, that a free society is powerless against groups it perceives to be engaging in unacceptable activities that are beyond the reach of law. For example, even where governments may not intervene for fear of

abrogating rights and freedoms, a free press and citizenry have a right to responsible inquiry. That right already has proved in Ontario to have been a potent weapon. A highly controversial religious commune examined in this study reportedly has succumbed to such pressure, sold its country property and disbanded. A mind development group, the subject of much press criticism, has suffered a drastic drop in membership and the defections of several key staff members who became disillusioned when the leadership's scandalous behaviour was revealed.

Indeed, the conduct of this study, which was an undertaking designed simply to shed light on certain issues, appears to have had a sobering effect on some groups. There is reason to believe that even the non-coercive, informal approach of the study served to make some groups moderate their practices and led some of their stalwarts to question the groups' operations more rigorously. The evidence suggests, for example, that some of those who defected from a mind development group did so when the study, which seemed to them a fair-minded inquirer, was given patently untrue answers to questions it had asked of the group's leaders. During the 18 months the study was functioning, very few additional complaints of any significance involving the groups studied were received. All pertinent ministries and public and private agencies had been encouraged to contact the study about any developments or problems that might have been relevant to this project.

The exercise of responsible inquiry, the exposure of

ideas and activities to public scrutiny, then, are themselves moderating influences on cultic and, for that matter, other groups. But in its attempts to protect itself against whatever threats may be posed by some such groups, a society also can forearm its members by forewarning them. Repeatedly, throughout its interviews and in many of its submission the study was urged to promote public education in this field. What some parties envisaged as education, of course, amounted more to propaganda for one or another viewpoint. But the study concluded that there is profound and widespread public ignorance regarding cults, sects, mind development groups, new religions and even deprogramming. It works not only to the detriment of uninformed people, who are ensnared by predatory movements or deprogrammers, but also to the detriment of benign groups or deprogrammers to whom the image of predator is applied unjustly. Accordingly, some groups were among those urging a fair and balanced program of public education. Perhaps one of the best expressions of the need for public education was contained in the 1978 report on a study of cultic groups conducted by the Jewish Community Relations Council of Greater Philadelphia. The report says:

The community as a whole needs to have a realistic picture of what is and is not going on with cults... They need to know so that they will be aroused and ready to respond when support is needed for public action. They need to know so that irresponsible or inappropriate action may be effectively restrained. Young people in particular need to know more about the cults, their tactics, their beliefs, and the issue they raise. Since high school and college students are the cults' prime target population for recruiting, and since so much of this recruiting is done in a deceptive and manipulative manner, education about the cults and the methods can serve as a form of

innoculation against entrapment.

Who should conduct such programs? In the study's view they should be undertaken by community groups and institutions, but not by government or with government involvement.

This is of course distinct from the role to be played by the Ministry of Consumer and Commercial Relations, and the Ministry of the Attorney General in educating the public about relevant existing legislation which they administer. Governments simply should not participate in efforts to resolve issues where questions of faith or belief may be involved. Elaborating on who should and should not undertake public education in this field, the report of the Jewish Community Relations Council continues:

Programmes of public education must be presented by authorities who are perceived as trustworthy and reliable by the community at large. Although former cults members and the parents of past and present cult members would seem to be the most basic educational resource of such a programme, we have observed that many former cult members and parents of cult members do more damage to their own credibility than they do to the credibility of the cults in making public presentations. Altogether too often these talks tend to be hysterical, hyperbolic, and factually inaccurate. Obviously the intense personal involvement that these people have makes it difficult for them to discuss the issue in a dispassionate and reflective manner. This is understandable, but it does mean that the main purveyors of public education in this area will have to come from elsewhere.

But while the study does not feel the government can appropriately participate in such public education programs, it does believe the schools, even though they are public institutions, do have a role in this area. The quest for

spiritual certainty and salvation, whether in religious or secular movements, has been and still is too significant a fact of human existence to be ignored by educators. It has shaped history, it appears to be affecting the lives of many -- especially the young -- in the present and it promises to continue doing so in the future. Therefore, the study believes that schools would do well to educate their students about the historical, social and spiritual antecedents of the phenomenon and to describe its manifestations in today's society.

While it is acknowledged that the school's role is an ever-broadening one, it is nevertheless the study's view that the type of information described should be introduced at least into the optional World Religions courses available to secondary school students. At the same time, though, aspects of the subject also could be incorporated into core courses in history and social studies. The material should be prepared carefully to avoid bias and should be taught by historians or social scientists versed in the objective presentation of controversial materials. As the Mackay Commission cautioned in its 1969 report on religious education,

The greatest care must be taken in the provision of a program of religious information to avoid, either by implication through emphasis or otherwise, or explicitly by an attempt to indoctrinate a particular religion, the proselytization of a pupil.

Society, then is not without protection against the questionable activities of exploitative, destructive movements. Existing laws are as extensive as currently feasible and likely

give a good deal more protection than their use to date would suggest. At the same time, society has recourse outside the statutory realm which, if taken wisely and fairly, can curb excesses that laws cannot address.

That being the case, the study can identify no legitimate grounds on which to base substantive recommendations for government action. In the light of the evidence and the bulk of the advice at hand, none seems warranted.

Advice to the Government

Still, in the terms of reference he assigned to the study, the Attorney General did ask for advice:

...as to whether it would be in the public interest to establish a formal public inquiry in this area, and as to any other steps the government might take to fulfill its responsibilities in relation to matters raised by your study.

In response to that request, the study first offers its only recommendation:

IT IS RECOMMENDED THAT no public inquiry be held regarding the issues arising out of the activities of cults, sects, mind development groups, new religions or deprogrammers.

RATIONALE: There are several factors to be taken into account when considering proposals to establish a public inquiry

into any field. Can the perceived problem be addressed in a less unusual way -- through existing legislation or normal investigatory channels open to police or other agents of the law? Is the problem so pressing that it warrants giving a specially constituted body the extraordinary powers of a formal public inquiry, including the power to search, to require the presentation of documents or to compel witnesses to testify? Is the resulting interference with civil rights warranted? Can the subject of inquiry be defined precisely enough to make it manageable and prevent the process from turning into an examination of the universe or, worse, a witch hunt? Is it worth the cost to the public purse?

In the study's view, none of these questions could be answered in the affirmative in this case. To conduct a public inquiry now would duplicate work the study already has done and likely would not produce any other substantive recommendations.

Having made its sole recommendation, the study also urges action on suggestions outlined earlier in this section involving the strengthening of existing government and private services and programs.

Additionally, the study offers the following two proposals which are not formal recommendations but indicate forms of constructive, non-legislative action that would serve the best interests of the public. The first proposal is made in the hope that its implementation will assist society in coming to grips with the major impediments to constructive

action in this field -- a lack of knowledge and experience. The second is offered in the interest of balanced and effective enforcement of existing laws.

The First Proposal

In its examination of allegations concerning mind control, hypnosis, brainwashing or the effects of certain practices on health, the study was struck by the fact that fruitful discussion is limited because of a lack of knowledge and experience in this area. For example, it is not known how charges, based on such allegations, would fare in the courts since none have been tested there. As well, it has not been determined how to define techniques of recruitment and conversion because they have not received enough systematic examination. It has also not been resolved whether there are direct causal links between the practices of various movements and serious psychiatric problems because the data available is sparse. It cannot be determined whether and how appropriate legislation could be drafted because there is not enough information on which to base credible definitions.

Perhaps some of these problems simply cannot be resolved. However, if answers are to be found -- and an attempt to develop them seems warranted by public concern -- they likely will be from a diversity of sources. They will come from the courts as case law, from practitioners of the techniques as informed opinion, from those who undergo the experience as participant observation, and from clinicians as case reports.

THEREFORE, IT IS PROPOSED THAT:

* Government officials or those who feel they have been unduly subjected to mind control, hypnosis, brainwashing or practices hurtful to their health be encouraged, where there may be a cause for action, to resort to the criminal and civil law. To make such an approach effective, lawyers in both government and private practice will have to be better informed in this area. As well they will have to be more imaginative in their interpretations of the law and its possibilities than perhaps they have been. The government may also wish to ensure that access to legal aid services and certificates for this purpose will be given to a person, especially a young person, who appears to have an arguable case in this respect but does not have funds to pursue it in the courts.

* The Ministry of Health fund research into the nature and causes of all Ontario cases of serious psychiatric problems, treated in mental hospitals or by private practitioners, ostensibly arising from experiences with movements or any other organizations employing techniques of behaviour modification. Appropriate measures would have to be taken to ensure respect for patient anonymity and confidentiality. But researchers would examine data on matters such as symptomatology, psychiatric history, experience within the group, the group's screening and staff

training, in an effort to identify causal links, if any, between group practices and psychiatric decompensation.

* A panel of credible professional and lay practitioners in the area of behaviour modification be established to monitor this research data and other information. The panel would propose legally and ethically acceptable definitions for practices that are deemed necessary to control. Particular attention should be given to the concept of hypnosis so that The Hypnosis Act can be rendered functional.

The Second Proposal

As noted earlier in this section, there already is a substantial body of legislation that seems to address many problems posed by the practices of groups examined in this study and other organizations. However, there is ample reason to believe that some authorities responsible for enforcing these statutes may not be doing so as vigorously or effectively as the public interest warrants. This seemingly occurs partly because of an uncertainty among various authorities involving the applicability of their own legislation to the kinds of practices that have caused complaints. It also seems in some instances to come from concerns that action under the law might be construed as an infringement on religious and other fundamental freedoms. It is heartening to note that the authorities feel constrained by considerations of individual liberties, but this should not be to the extent that such concerns inhibit

even legitimate action. The study hardly would promote frivolous prosecution, but it does wish to see existing laws enforced fairly and effectively. Efficient and fair administration of the law, the study believes, not only gains redress for the truly aggrieved, but is one of the most telling forms of public education. It restrains others who might engage in questionable practices and, if publicized, gives the public a working demonstration of what their rights are and how to protect them.

THEREFORE IT IS PROPOSED THAT:

* Periodic meetings be held with police and relevant personnel of provincial ministries or agencies, such as the Ministries of Health and Consumer and Commercial Relations, to help each of them more effectively carry out their responsibilities under statutes they now administer. These meetings could focus on matters such as civil liberties issues raised by the enforcement of various statutes, the applicability of various statutes to specific practices, or techniques for the investigation of complaints under individual pieces of legislation. Among instructors at such conferences would be lawyers, civil libertarians, clergymen, medical practitioners, jurists, and others familiar with issues associated with groups examined here or other organizations that employ similar practices.

* A review procedure be established within each pertinent Ministry or agency to assess periodically how effectively relevant statutes are being admin-

istered. Isolated difficulties could then be the subject of further staff training sessions.

A Last Word

Finally, a note of caution. Notwithstanding the dangers inherent in governments acting to curb spiritual innovation, there may be times when a concerned public feels vulnerable and insists on additional government intervention. When that happens, as the 1970 Committee on the Healing Arts warned, the government must "resist devising rules which in their breach and in their broad discretion contain dangers which we, as individuals in a free society, cannot abide..."

APPENDICES

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STATEMENT

BY

THE HONOURABLE R. ROY McMURTRY

ATTORNEY GENERAL

OCTOBER 24, 1978

MR. SPEAKER, IN RECENT MONTHS THERE HAVE BEEN EXTENSIVE REPORTS ABOUT WHAT ARE CALLED MIND DEVELOPMENT TECHNIQUES PROMOTED BY A VARIETY OF ORGANIZATIONS.

THE ORGANIZATIONS RANGE FROM QUASI-RELIGIOUS SECTS TO NEW PSYCHOLOGICAL THERAPIES TO SCHOOLS OF INSTRUCTION. MANY OF THESE ORGANIZATIONS ARE GENUINELY CONCERNED WITH MENTAL HEALTH OR SPIRITUAL GROWTH.

HOWEVER, THERE ARE AN INCREASING NUMBER OF ALLEGATIONS AND SOME EVIDENCE THAT THE ACTIVITIES OF SOME OF THESE ORGANIZATIONS HAVE RESULTED IN SERIOUS PHYSICAL AND PSYCHOLOGICAL DAMAGE TO SOME PERSONS, PARTICULARLY YOUNG PEOPLE.

THE GOVERNMENT HAS RECEIVED CONCERNS IN RELATION TO THE FOLLOWING AREAS: THE EFFECTS OF MIND DEVELOPMENT PRACTICES ON THE MENTAL AND PHYSICAL HEALTH OF GROUP MEMBERS, THE RECRUITMENT METHODS USED BY MIND DEVELOPMENT GROUPS TOGETHER WITH THE BUSINESS PRACTICES ENGAGED IN BY THEM, AND THE PRACTICE OF DEPROGRAMMING, WHICH IS REPORTED OFTEN TO INVOLVE PHYSICAL VIOLENCE.

THESE CONCERNS HAVE BEEN VOICED BY MEMBERS OF THE LEGISLATURE ON BOTH SIDES OF THE HOUSE AS WELL AS BY MANY CITIZENS OF ONTARIO.

AT THE SAME TIME VERY STRONG REPRESENTATIONS HAVE BEEN MADE TO US THAT LITTLE IN THE ACTIVITIES OF MIND DEVELOPMENT GROUPS IS IN ITSELF NECESSARILY DAMAGING OR HARMFUL. MANY GROUP MEMBERS TESTIFY SINCERELY TO THE BENEFITS THEY HAVE DERIVED FROM MEMBERSHIP.

IT HAS ALSO BEEN SUGGESTED THAT THERE IS SELDOM ANY ACCURATE WAY OF DETERMINING WHETHER OR NOT A PARTICULAR GROUP MEMBER, WHO APPEARS TO HAVE BEEN PSYCHOLOGICALLY DAMAGED, WAS ALREADY VULNERABLE TO MENTAL DISORDER WHICH COULD HAVE BEEN PRECIPITATED IN ANY NUMBER OF WAYS.

LASTLY, IT HAS BEEN ARGUED THAT ANY GOVERNMENT ACTION OR CONCERN IN THIS AREA CONSTITUTES AN INFRINGEMENT ON THE CIVIL LIBERTIES OF INDIVIDUALS AND GROUPS TO PURSUE WHATEVER BELIEFS THEY CHOOSE.

IN A HIGHLY CHARGED ATMOSPHERE OF ACCUSATION AND COUNTER-ACCUSATION, FEW FACTS ARE CLEAR. BECAUSE OF THE SERIOUSNESS OF THE QUESTIONS INVOLVED, THE GOVERNMENT WISHES TO HAVE AN INDEPENDENT ASSESSMENT OF THE INFORMATION PRESENTLY AVAILABLE.

THEREFORE, MR. SPEAKER, AFTER DISCUSSIONS WITH MY CABINET COLLEAGUES, I HAVE ASKED DR. DANIEL G. HILL, THE DISTINGUISHED FORMER DIRECTOR AND CHAIRMAN OF THE ONTARIO HUMAN RIGHTS COMMISSION, TO CONDUCT A STUDY INTO THIS SUBJECT.

DR. HILL WILL CARRY OUT A THOROUGH AND INDEPENDENT REVIEW OF ALL AVAILABLE INFORMATION PERTAINING TO THIS MATTER.

I WANT TO STRESS THAT THIS IS NOT AN INQUISITION. THE GOVERNMENT OF ONTARIO CONTINUES TO BE SENSITIVE TO ALL ISSUES INVOLVING CIVIL LIBERTIES AND FREEDOM OF THOUGHT AND BELIEF.

AFTER A THOROUGH REVIEW OF ALL AVAILABLE INFORMATION, DR. HILL WILL RECOMMEND WHETHER IT WOULD BE IN THE PUBLIC INTEREST TO ESTABLISH A FURTHER PUBLIC INQUIRY IN THIS AREA OR TO TAKE ANY FURTHER ACTION.

FINALLY, MR. SPEAKER, I WOULD INVITE INDIVIDUALS AND GROUPS WITH INVOLVEMENT OR CONCERNS IN THIS AREA TO SHARE THEIR INFORMATION AND VIEWS WITH DR. HILL IN THE PUBLIC INTEREST.

THANK YOU, MR. SPEAKER.



Office of the
Minister

Ministry of the
Attorney
General

416/965-1664

18 King Street East
Toronto Ontario
M5C 1C5

December 27th, 1978

Dr. Daniel Hill
Special Adviser
3rd Floor
18 King Street East
Toronto, Ontario

Dear Dr. Hill:

Re: Mind Development Practices

This letter will serve as the terms of reference for your study and review of the practices of mind development and mind awareness groups, including the practices of sects and cults, and the practices of deprogrammers in Ontario.

The government and other public agencies have received a large number of expressions of concern that the activities of some of these organizations have resulted in serious physical and psychological damage to some persons, particularly young people.

The government has received particular expressions of concern in relation to the effects of mind development practices and the practices of sects and cults on the mental and physical health of group members, apprehension of physical or psychological coercion, the recruitment methods and business practices used by such groups, the need for and extent of consumer protection machinery in this area, and the practice of deprogramming.

Your task will be to carry out a thorough review, study, and analysis of these issues. You will have available to you all information pertaining to these matters which has come to the attention of the government and other public agencies. After you have completed your review of material presently available to the government, you will undoubtedly wish to receive submissions from groups and members of the public and to interview individuals who may have something to offer and are interested in sharing their views with you.

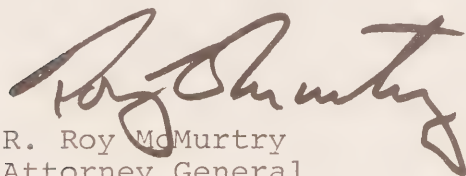
After you have completed this process of study, and review, and analysis I would be grateful if you would advise the government as to what issues are raised by the material you have studied, as to whether it would be in the public interest to establish a formal public inquiry in this area, and as to any other steps the government might take to fulfill its responsibilities in relation to any matters raised by your study.

As this process is a study and not a formal public inquiry, I do not believe there would be any basis for you to take evidence under oath, nor would you be required to conduct any public meetings. It is not the function of your study to make adverse findings of fact in relation to any identifiable individuals or groups.

I know that you are aware of the concern of the public and the government for the preservation of the civil and religious liberties of individuals and groups and that you will in the conduct of your study continue to be sensitive to these concerns.

I enclose for your information a copy of the statement which I made in the Legislative Assembly on October 24th.

Yours very truly,

A handwritten signature in dark ink, appearing to read "R. Roy McMurtry". The signature is stylized with a large, sweeping initial "R" and a long, horizontal stroke extending to the right.

R. Roy McMurtry
Attorney General

Enclosure



Ontario

Office of the
Special Advisor

Study of Mind
Development Groups,
Sects and Cults

(416) 364-7266

3rd Floor
18 King St. E.
Toronto, Ont.
M5C 1C5

March 5, 1979

LETTER SENT TO TRADITIONAL
RELIGIOUS ORGANIZATIONS

On October 24, 1978 the Honourable R. Roy McMurtry Attorney General of Ontario announced in the provincial legislature the establishment of a study into mind development groups, sects and cults in Ontario (statement enclosed).

As Special Advisor and director of the study, I am developing specific plans for the review of existing materials within government ministries pertinent to the study. At the same time I am attempting to initiate activity related to the second stage of the study, and it is in this context that I am writing to you.

In this regard, I have posed four questions which I consider to be crucial to our research. It would be helpful if your organization would consider these questions and respond to my office by May 1, 1979.

1. To what extent, if at all, should the state attempt to regulate the practices of religious cults and sects in order to protect individuals and/or the general public?

2. If you feel state action is legitimate, can you identify any practices of religious sects or cults that warrant intervention where the state has not intervened to date?
3. What kind of action would be appropriate and how would you avoid or at least minimize the risk it might pose for freedom of religion?
4. Insofar as you foresee your proposal unavoidably conflicting with or infringing upon freedom of religion or other commonly accepted rights, how would you justify your position?

If you feel that there are additional questions relating to this matter which are not covered above, please feel free to deal with them. You may feel that there would be benefit in augmenting your written submission by a discussion with me to provide more information to the study. Arrangements to this effect can be made after I have heard from you.

Thank you for your co-operation; I look forward to receiving your submission.

Sincerely yours,

A handwritten signature in dark ink, reading "Daniel G. Hill". The script is cursive and fluid, with the first name "Daniel" and last name "Hill" clearly legible.

Daniel G. Hill
Special Advisor

DGH/ms
Encl:



Ontario

Office of the
Special Advisor

Study of Mind
Development Groups,
Sects and Cults

(416) 364-7266

3rd Floor
18 King St. E
Toronto, Ont.
M5C 1C5

February 23, 1979

LETTER SENT TO: UNITED WAY AGENCIES IN ONTARIO
CHILDREN'S AID SOCIETIES
SOCIAL PLANNING AND OTHER
COMMUNITY ORGANIZATIONS

On October 24, 1978 the Honourable R. Roy McMurtry, Attorney General of Ontario announced in the provincial legislature the establishment of a study into mind development groups, sects and cults in Ontario (statement enclosed).

As Special Advisor and director of the study, I am developing specific plans for the review of existing materials within government ministries pertinent to the study. At the same time I am attempting to initiate activity related to the second stage of the study, and it is in this context that I am writing to you.

It is my intention to invite organizations, such as yours, to comment upon and provide information about the subject under study. If you have had dealings with new religious groups and/or groups oriented to mind development or awareness techniques, you may wish to contribute information for the consideration of the study.

A written submission may possibly be augmented by a discussion with me to provide more information to the study. Arrangements to this effect can be made after I have heard from you.

It would be helpful, in terms of my research, if you would advise me by March 20th regarding whether or not you can assist me in this matter. After I have heard from you, specific arrangements can be made.

We need the assistance of voluntary agencies which I consider to be most significant in the research process. If you have any questions related to this project please contact me at your convenience.

I look forward to hearing from you before March 20th.

Sincerely yours,

A handwritten signature in cursive script that reads "Daniel G. Hill".

Daniel G. Hill
Special Advisor

DGH/ma
Encl.



Ontario

Office of the
Special Advisor

Study of Mind
Development Groups,
Sects and Cults

(416) 364-7266

3rd Floor
18 King St.
Toronto, ON
M5C 1C5

March 5, 1979

LETTER SENT TO: PUBLIC HOSPITALS IN TORONTO
PSYCHIATRIC HOSPITALS IN TORONTO
PUBLIC HOSPITALS OUTSIDE OF TORONTO

On October 24, 1978 the Honourable R. Roy McMurtry, Attorney General of Ontario announced in the provincial legislature the establishment of a study into mind development groups, sects and cults in Ontario (statement enclosed).

As Special Advisor and director of the study, I am developing specific plans for the review of existing materials within government ministries pertinent to the study. At the same time I am attempting to initiate activity related to the second stage of the study, and it is in this context that I am writing to you.

It is my intention to invite clincical facilities such as yours, to comment upon and provide information about the subject under study. If you have had experience with individuals who have been members of new religious groups and/or groups oriented to mind development or awareness techniques, you may wish to contribute information for the consideration of the study.

A written submission may possibly be augmented by a discussion with me to provide more information to the study. Arrangements to this effect can be made after I have heard from you.

It would be helpful, in terms of my research, if you would advise me by March 20th regarding whether or not you can assist me in this matter. After I have heard from you, specific arrangements can be made.

Dr. Saul Levine, Professor of Psychiatry at the University of Toronto, who has extensive experience in this area, has agreed to work with us on this aspect of the study.

We need the assistance of agencies and institutions which I consider to be most significant in the re-search process. If you have any questions related to this project please contact me at your convenience.

I look forward to hearing from you before March 20th.

Sincerely yours,

A handwritten signature in dark ink, reading "Daniel G. Hill". The signature is written in a cursive style with a large, stylized 'D' and 'H'.

Daniel G. Hill
Special Advisor

DGH/ms
Encl.



Ontario

Office of the
Special Advisor

Study of Mind
Development Groups,
Sects and Cults

(416) 364-7266

3rd Floor
18 King St.
Toronto, On
M5C 1C5

March 15, 1979

LETTER SENT TO ATTORNEYS GENERAL
IN CANADA AND THE UNITED STATES

On October 24, 1978 the Honourable R. Roy McMurtry, Attorney General of Ontario announced in the provincial legislature the establishment of a study into mind development groups, sects and cults in Ontario (statement enclosed).

As Special Advisor and director of the study, I am developing specific plans for the review of existing materials within government ministries pertinent to the study. At the same time I am attempting to initiate activity related to the second stage of the study, and it is in this context that I am writing to you.

Attorney General McMurtry is particularly concerned that this study take into account the experience of other jurisdictions. Consequently he has urged me to obtain your assistance in sharing certain information with us, a contribution which we consider will be of value to our research process.

I have posed three questions which I believe to be central to our search for related information.

1. Has your Attorney General's Department undertaken at any point in the past a similar study to the one with which we are involved, and/or is it contemplating the possibility of such activity in the future?
2. Has legislation been enacted by your province as a result of problems encountered locally, which were related to the general topic area of our study?
3. Has the Supreme Court of your province handed down decisions regarding specific topics such as deprogramming, abduction and consumer protection as they might relate to the activities and practices of new religious groups and mind development groups?

In terms of our research schedule, it would be helpful if your comments and information could be received by April 30th. I would be most appreciative of whatever consideration you might give to our request.

Mr. S. Casey Hill of the Ontario Ministry of the Attorney General is acting as counsel to the study. In the event that your staff may wish to discuss any aspect of this letter prior to replying, he may be reached at the address noted above (14th floor) and at (416) 965-9110.

If you feel that there are additional questions relating to this matter which are not covered above, or if there are other areas upon which you wish to comment, please feel free to deal with them.

Thank you for your co-operation; I look forward to receiving your comments.

Sincerely yours,



Daniel G. Hill
Special Advisor

DGH/ma
Encl.



Ontario

Office of the
Special Advisor

Study of Mind
Development Groups,
Sects and Cults

(416) 364-7266

3rd Floor
18 King St. W.
Toronto,
M5C 1C5

April 4, 1979

LETTER SENT TO MIND DEVELOPMENT GROUPS, SECTS,
CULTS AND NEW RELIGIONS INCLUDED IN THE STUDY

On October 24, 1978 the Honourable R. Roy McMurtry, Attorney General of Ontario announced in the provincial legislature the establishment of a study into mind development groups, sects and cults in Ontario (statement enclosed). As you perhaps know, I have been appointed Special Advisor to the Government and assigned to carry out the study.

As a civil libertarian and a former chairman of the Ontario Human Rights Commission, it has been my intention, from the outset of the study, to ensure the scrupulous protection of the rights of all those who have an interest and involvement in this matter. Consequently, I have an appreciation of the positive implications of Attorney General McMurtry's direction to me that "It is not the function of your study to make adverse findings of fact in relation to any identifiable individuals or groups".

It is my belief that this study, like any other, requires as much factual information as possible as a basis for its considerations. For that reason we are seeking co-operation and help from scholars, theologians, professionals, social service agencies, mind awareness groups and new religions. I believe that your related interest and experience establishes you and your organization as a valuable source of knowledge and input to the study. It is in this context that I am contacting you.

It would be of considerable help to me if you would contribute information and comment in two major areas. The first is that relating to your own organization and the second is that of opinion or comment regarding the study's area of concentration. The most effective method of presentation of such material, for purposes of this study, is in written form and therefore it is in that form that I request your contribution.

I would hope that you would see fit to provide statements and descriptions regarding the following aspects of your organization:

- 1) its origins, development and growth in Ontario;
- 2) the beliefs or principles on which it is based;
- 3) practices regarding the recruitment and teaching of new members;
- 4) the organizational and administrative structure of the group in Ontario, including a description of the regional as well as the provincial structure;
- 5) the organizational relationship to, or affiliation with, your parent or kindred group(s) of a national or international nature;
- 6) the identification and purpose of any charitable, educational or other groups, institutions or services which are funded by, operated by, or associated with your organization in Ontario.

In addition to the information which you are invited to provide regarding your organization, I invite your comments regarding the following:

- 7) What is your reaction to the expressed public concern reflected in Attorney General McMurtry's statement? Please discuss.
- 8) Should the government attempt to regulate the practices of new religions, cults, sects, mind development groups, and deprogrammers in order to protect individuals and/or the general public? If so, to what extent?

- 9) If the government should decide that its involvement is appropriate, specify the type of action which it might take, having consideration for its concern that any risk to freedom of religion or belief be avoided.

I believe that the study will benefit considerably from your assistance and participation, and I would urge you to submit your information and comments prior to June 1. Following receipt of your submission, I plan to contact you to arrange a meeting at which we can discuss your presentation further, if it is your wish.

I look forward to receiving your submission and I encourage you to provide, in addition to the requested information, any other comment or material which you feel may be of interest to the study.

Your co-operation and assistance in responding to this invitation to participate in the study will be very much appreciated.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Daniel G. Hill". The signature is written in a cursive, flowing style.

Daniel G. Hill
Special Advisor

DGH/bs
Encl.

CONSULTATIONS

CANADA

Medical

Dr. Marguerite Archibald, Department of Public Health,
City of North York

Dr. Fred Allodi, Toronto Western Hospital

Dr. David Barnes*, Kitchener-Waterloo Hospital

Dr. David Berger, Mount Sinai Hospital, Toronto

Dr. Peter Brawley, Toronto General Hospital

Dr. Peter Butler, Humber Memorial Hospital, Toronto

Dr. John Cleghorn, Department of Psychiatry, McMaster
University, Hamilton

Dr. Fred Glaser, Addiction Research Foundation, Toronto

Dr. Yvonne Kason, Private Practice, Toronto

Dr. Edward Kingstone, Office of the Vice-President and
Provost, University of Toronto

Dr. John Lindsay, Hassle-Free Clinic, Toronto

Dr. Andrew Malcolm, Private Practice, Toronto

Dr. John Powell, London Psychiatric Hospital

Dr. Raymond Prince, Mental Hygiene Institute, Montreal

Dr. Vivian Rakoff, Sunnybrook Hospital, Toronto

Dr. Ronald Ruskin, The Wellesley Hospital, Toronto

Dr. Bernard Schiff, Department of Psychology, University
of Toronto

Dr. Susan Schulman, Queensway General Hospital, Borough
of Etobicoke

Dr. Nahum Spinner, Department of Psychiatry, McMaster
University, Hamilton

Dr. Donald Waterson, Department of Psychiatry, University
of British Columbia, Vancouver

*Telephone Consultation

Other

- Mr. William Bell, President, Richmond Hill Social Planning Council
- Mr. Russell Black, District Solicitor, District Municipality of Muskoka, Bracebridge
- Mr. Alan Borovoy, General Counsel, Canadian Civil Liberties Association, Toronto
- Dr. Kenelm Burridge, Chairman, Department of Anthropology, University of British Columbia, Vancouver
- Mr. George Caldwell, Executive Director, Ontario Association of Children's Aid Societies, Toronto
- Rev. Colin Clay, Chaplain, University of Saskatchewan, Saskatoon
- Mr. Robert Couchman, Executive Director, Family Service Association of Metropolitan Toronto
- Mr. Ronald Coupland, Director, Halton Children's Aid Society, Oakville
- Mr. Del Delisle, Research Co-ordinator, British Columbia Ministry of the Attorney General, Criminal Justice Division, Victoria
- Dr. Michael Dixon, Registrar, The College of Physicians and Surgeons of Ontario, Toronto
- Dr. Jim Dudeck, Psychologist, Waterloo County Board of Education, Kitchener
- Dr. John Flynn, Director of Education, Brant County Roman Catholic Separate School Board, Brantford
- Mr. Harley Forden, International Association of Applied Social Scientists, Toronto
- Mr. Michael Hanson, Director of Enforcement of British Columbia Ministry of Consumer and Corporate Affairs, Victoria
- Mr. Tom Harpur, Religion Editor, Toronto Star
- Dr. William Henderson, Deputy Registrar, The College of Physicians and Surgeons of Ontario, Toronto

- Mr. Glen How, Q.C., General Counsel, Watch Tower Bible
and Tract Society, Toronto
- Mr. William Hunsberger, Executive Director, Children's Aid
Society of the Regional Municipality
of Waterloo, Kitchener
- Miss Linda Hurd, Executive Secretary, British Columbia
Civil Liberties Association, Vancouver
- Rev. Kenneth Jaggs, Addiction Research Foundation, Windsor
- Mr. Sidney Katz, Journalist, Toronto Star
- Mr. Ben Kayfetz, Executive Director, Canadian Jewish
Congress, Toronto
- Mr. Harold Knight, Executive Director, Community Appeals
Review Board of Brantford and Brant
County, Brantford
- Ms. Helen Kohl, Freelance Journalist, Toronto
- Mr. Mark Krasnick, Assistant Deputy Minister, British
Columbia Ministry of the Attorney
General, Victoria
- Mr. Henry Labatte, President, Central Ontario Lakeshore
"Y" and YMCA of Metropolitan Toronto
- Dr. Clark McDonald, Deputy Secretary, The Church In
Society, Division of Mission In
Canada, United Church of Canada, Toronto
- Dr. Hans Mol, Department of Religious Studies, McMaster
University, Hamilton
- Professor Joseph O'Connell, Department of Religious Studies,
University of Toronto
- Mr. Thomas Rafael, Counsel, International Society for Krish-
na Consciousness (ISKON), Vancouver
- Mr. Eugene Rosan, Information Officer, Watch Tower Bible
and Tract Society, Toronto
- Ms. Kathleen Ruff, Former Director, British Columbia Human
Rights Commission, Victoria
- Dr. Rodney Sawatsky, President, Canadians for the Protec-
tion of Religious Liberty, Toronto
- Rev. Austin Snyder, Trustee, Oxford County Board of
Education, Woodstock

Ms. Elizabeth Smith, International Association of Applied
Social Scientists, Toronto

Dr. Metta Spencer, Department of Sociology, Erindale
College, University of Toronto

Professor André Stein, Department of Sociology, Erindale
College, University of Toronto

Dr. William Vail, Past President, Ontario Medical
Association, Toronto

Professor John Whitworth, Department of Sociology, Simon
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Mr. John Young, Director of Education and Secretary of
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- Ms. Bettina Gray, Berkeley Area Interfaith Council
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- Dr. Theodore Schwartz, Department of Anthropology, University of California, San Diego
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BRIEFS, SUBMISSIONS AND PRESENTATIONS

RELIGIOUS ORGANIZATIONS

Anglican Church of Canada

Baptist Convention of Ontario and Quebec

Board of Congregational Life, the Presbyterian Church of Canada

Canadian Yearly Meeting of the Religious Society of Friends
(Quakers)

Christian Science Committee on Publication for Ontario

Fellowship of Evangelical Baptist Churches in Canada

Greek Orthodox Archdiocese of North and South America

Joint Community Relations Committee of Canadian Jewish
Congress and B'nai B'rith - Ontario Region

Lutheran Church in America - Canada Section

Ontario Conference of Catholic Bishops

Ontario Conference of Mennonite Brethren Churches

Ontario Conference of Seventh-Day Adventist Church

Pentecostal Assemblies of Canada

Salvation Army

Watch Tower Bible and Tract Society, Canadian Branch
(Jehovah's Witnesses)

United Church of Canada

GROUPS INCLUDED IN THE STUDY

Ananda Marga

Brotherhood (Unfoldment)

Council of Scientology Parishioners

Divine Light Mission

Foundation Faith of God

Institute of Applied Metaphysics

International Society for Krishna Consciousness

Maharishi International Academy

Mind Awareness

People Searching Inside

OTHER

British Columbia Civil Liberties Association

Canadian Civil Liberties Association

Canadians for Protection of Religious Liberty

Community Appeals Review Board of Brantford and Brant County

International Association of Applied Social Scientists

Narconon

National Commission on Law Enforcement and Social Justice

Ontario Psychological Association

Ontario Society of Clinical Hypnosis

Waterloo County Board of Education

Wycliffe College, Toronto

Young Men's Christian Association of Metropolitan Toronto

INDIVIDUAL PRESENTATIONS

Dr. Zoltan Rona

Dr. Mitchell Young

6 submissions from persons who requested that their names
not be released

THE LEGAL REGULATION OF CULTS:
A POLICY ANALYSIS

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For centuries western society has debated the authenticity of religious beliefs. In western liberal democracies of the 20th century, until recently, it has been the pride of secular states that the church has been separated from both the legislature and judiciary and persons of diverse, even contradictory, thought have been allowed to exercise their religious beliefs free of restraint. Latterly, two trends have been evident. Firstly, secular technologists have so permeated modern life that theological values have been replaced by socially-minded economic theories. Secondly, concurrently and in response to the former, persons have sought to revitalize traditional religious values or to attempt some radical restatement of religious commitments. This has particularly affected the generation that grew up after the Second World War. This group has provided the organizational strength and numbers, which have focussed our attention on the contemporary phenomenon of the cults.

Insofar as it is argued that cults are distinguishable from traditional religious groups, it is important at the outset to decide whether it is profitable to produce a definition of religion. This definition would, despite its broadness, point to the content of cult belief systems as non-religious and the potential subject of tightly-drafted legislative or judicial controls. Because the constitutional system of the United States has more than any other legal

process in the Anglo-Saxon legal experience, experimented with the absolute protection of freedom of religion, we might assume that American legal decisions over time have produced coherent guidelines for justifiable regulation. In fact, the U.S. legal decisions have painstakingly distinguished between beliefs and actions. With respect to beliefs in defining religion, the decisions have so widened the category that heretical, preposterous and non-theistic groups have now safely come under the first amendment penumbra. In the landmark cases of United States v. Seeger, 380 U.S. 163, (1965); Founding Church of Scientology of Washington v. United States, 409 F. 2d 1146 (1969); Washington Ethical Society v. District of Columbia, 249 F. 2d 127 (1957), it was concluded that a group need not espouse a belief even in a supreme being. It is only necessary that the community give the belief which they have, a similar place in their lives to that of beliefs held by traditional religious groups. In Fellowship of Humanity v. County of Alameda, 315 P. 2d 394 (C.A.) (1957), it was held that in order to fulfil the criteria for religion there must be "(1) a belief, not necessarily referring to supernatural powers; (2) a cult, involving a gregarious association openly expressing the belief; (3) a system of moral practice directly resulting from an adherence to the belief; and (4) an organization within the cult designed to observe the tenets of belief." (153 Cal. App. 2d 693, 315 P. 2d 406 (C.A.) (1957)).

Moreover, a New York State Supreme Court judge

recently decided that the Hare Krishna movement constituted a religious community. It would seem entirely likely that the Unification Church would meet the necessary conditions. It is irrelevant that according to the majority the belief that the group in question espouses is regarded as illogical or incorrect. The U.S. Supreme Court forthrightly stated in 1944 in United States v. Ballard, 322 U.S. 78, "Men may believe what they cannot prove. They may not be put to the proof of their religious doctrines or beliefs. When the triers of fact undertake that task, they enter a forbidden domain." If beliefs in question can be proven to be insincere and designed for purposes of ulterior gain, only then the U.S. courts have withheld protection. For example, in a federal prison, a church was organized to ensure steak and wine at a pascal celebration. (Theriault v. Silber, 391 F. Supp. 578 (1975)). It would not however be sufficient for its disqualification that a religious organization mixed business with its ritual pursuits.

We may conclude that definitions of religion under the first amendment in the U.S. have evolved to a degree that wherever groups have adopted some structure of organization and possess a belief system, which seriously affects their lives, they will be regarded as a religion and will be given strict legal protection. Even in the case of individuals the U.S. Supreme Court has gone so far, as in Welsh v. United States, 398 U.S. 333 (1970), to hold that a conscientious objector is entitled to exemption from military service because he can show that his beliefs are founded on a moral or ethical principle. His commitments are deemed religious insofar

as they are not based on expediency or pragmatism.

Early on, the U.S. Supreme Court recognized, as have Canadian courts, that it is more efficacious to assess practices than beliefs. An important dichotomy was struck in 1878 in Reynolds v. United States, 98 U.S. 145. The court expressed the view that whereas the law cannot interfere with religious beliefs and opinions, it does reserve the right to restrict practices. It must be admitted that the splitting of beliefs and actions still leaves the door open for questionable curtailments of religious life. The balancing instrument between the freedom of expression and the state's investment in individual or social, physical and mental health has not been an easy one to draw.

The different philosophical frameworks subscribed to both by courts and legal commentators have continued to influence judgments about religious liberty. There are two fundamentally divergent perspectives on religious liberty. If we assume that personal rights are derived from a social contract, the tendency towards accepting political paternalism is increased. For in the name of "police power," it is asserted that the state has the right to interfere with any or all of its citizens' activities, even if they only endanger the individual. On the other side is the belief that the social order is founded on individual liberty. In this perspective society represents a combination of individuals who, in their individuality, possess natural and inherent rights that precede any social organization. From this

vantage point, social organization is provided to ensure that natural rights of freedom of belief and action will not be violated. In shaping the issue of whether the state has the right, through its exercise of *parens patriae* to protect the free action of individuals from themselves, it makes a difference whether we begin with a libertarian perspective. It was John Stuart Mill in his essay On Liberty who provided us with the following libertarian formula. "The only purpose for which power can be rightfully exercised over any member of a civilized society, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant." (New York: Liberal Arts Press, 1956 p.13)

In principle, the libertarian holds that the state may only be permitted to impinge on religious practices when it can show a compelling interest in order to protect innocent third parties. Libertarians have by and large not had serious difficulty in justifying interventions where minors, the elderly, and mental patients have been the object of manipulation. Judicial orders have also been justified in instances where persons have been unable to make effective choices for themselves, for example, medical emergencies and comatose states.

It is in the area of sorting out what we mean by personal autonomy and the capacity for free choice that the controversy surrounding cults and the definition of freedom of religion takes hold. For if we admit that our curtailment

of belief-practices can be justified in cases where persons are vulnerable by dint of birth or age and arguably have been incapacitated with respect to their freedom of thought or action, we are forced, despite our commitment in principle to libertarian values, to allow the state interest to protect the individual from external interferences. Justice Brandeis, in the U.S. constitutional context, in Whitney v. California, 274 U.S. 357 (1927) argued that it is the final end of the state to make men free to develop their faculties. In this sense he saw liberty both as an end and as a means. In the area of the cults the question becomes whether there is something in the nature of the thought and practices of contemporary cult movements that sets them apart as violators of individual freedom to an extent that demands state intervention.

The origin of the word "cult" is the Latin word *colere*, which means to till or cultivate and the noun, *cultus*, which means a cultivating, hence active care. This brings us to the religious sense. Ordinary dictionary usages point in the direction of a formal religious worship or a system of religious beliefs and rituals. Contemporary cults are in the broad tradition of religious cults. Nonetheless they are said to possess some added ingredients that have made them the brunt of social controversy and dissension. In a report of the Jewish Community Relations Council of Greater Philadelphia, 1978, the authors, chosen from a wide range of professional disciplines, ventured the following characteristics of a cult. A dominant living paternalistic figure is given undemocratic and absolutist authority and makes claims with respect to his

divinity or divine agency. Because of his omniscience and infallibility, he is owed unquestioning loyalty. Whether we are sympathetic to this description it is likely a safe assumption that most individuals who find themselves deeply troubled about cults have identified cults with these attributes. And they have consequently sought, in the name of protecting social and individual liberty, to investigate and control the activities of cult leaders and members.

An added feature of discomfort is connected to the proselytizing practices of cults, which are said to be distinguishable from traditional groups. Radical libertarians, like Dr. Thomas Szasz, have made a mockery of this point. He has argued that those who have regarded hard proselytizing as tantamount to brainwashing have failed to appreciate that brainwashing is merely a metaphor, which is a way of suggesting strong disapproval of the way in which one person has been influenced by another. For Szasz it is no more possible to wash another's brain than to make him bleed with a cutting remark. This overstates the case. For there is a considerable body of troubling literature that has forced reasonable persons to take combative and contradictory positions in defining the nature of cults and their attendant practices and in assessing the impacts of their proselytizing techniques.

It is remarkable how the same phenomenon could have come to be described so differently. On the one hand, there are historians, mental health professionals and civil libertarian

lawyers who argue that what is viewed as a cult is a matter of historical contingency and a reflection of the transition of social values in a given culture. They are wont to argue that cults express historically significant human needs for group identification and reflect the failure of the nuclear family and traditional religious organizations to provide personal meaning. We are also informed by this group about the extreme pressures that adolescents live under among their peer groups and educational institutions. We are instructed that it is our cultural xenophobia that prompts us to react unfavourably to Eastern-oriented thinking which questions our secular priorities. Finally it is asserted that if there is any civility and integrity to our proclaimed judicial values it is our positive obligation to ensure that minority and socially-deviant cult groups be allowed to live their lives, untrammelled by the reactionary and suspect non-libertarian forces of the family, the courts and the police. Curiously enough persons at different points in the political spectrum and of highly-variant religious persuasions have found themselves together on one or other aspect of the debate.

The second group of concerned scientists and citizens is prepared to document and insist on legal remedies for regulating what are perceived to be pernicious and dangerous elements in our liberal democracies. There are social scientists and mental health professionals who insist that "cult groups" manifest aberrational psychologies which debilitate their members and render them incompetent for normal social practice. Researchers have documented a high proportion

of people in dissociative states in cult groups, who have pursuant to their identification, rejected their families and previous lives. As scientific observers, they have concluded that the rejection occurred with such speed that radically new personality types have emerged with effects similar to persons suffering from severe character disorders or from schizophrenic or psychotic illnesses. They are deeply distressed at the extent to which cult members appear to be in a bonded relationship to charismatic figures, who exploit and suppress them and their capacity for choice. Emotions have become highly inflamed and organizations have been founded both to protect cults and to intervene in cult activities to protect individual members.

The confrontation in legal circles reflects this polarization. The debate has been sharply crystallized in the U.S., with the respective positions being represented by Jeremiah S. Gutman of the American Civil Liberties Union and Professor Richard Delgado of the U.C.L.A. Law Faculty. Gutman has proceeded by unpacking the implications of committing oneself to the freedom of religious life based on the premise of the value being fundamental and absolute. While Gutman is prepared to admit the legitimacy of mental health assessments that the cults are unhealthy psychologically for some members, he cannot see any relevancy in this for legal planning. Religious life for Gutman remains an untouchable. He says we cannot presume to fiddle with a definition of what constitutes truth or falsity with respect to religion because this is outlawed by the first amendment. "The very

notion that an adult can have any person restrict what ideas that adult will subscribe to or limit the manner in which that adult can worship or not worship whom or what he or she chooses is repugnant to the first amendment." (Unpublished MS, "Constitutional and Legal Dimensions of Deprogramming.")

Gutman sees the harassment of cults and the activities of deprogrammers as objectionable and criminally reprehensible conduct. Gutman goes so far as to maintain that it does not matter whether children are not emancipated. He believes that parents' intervention in the religious life of their children is psychopathic and shows a refusal on their parts to accept maturity and independence on the part of their children.

People who participate in such criminality, according to Gutman, are the ones who are exercising thought control. Gutman sees the debate as reflecting loaded language. Religions are called cults; proselytizing, brainwashing; persuasion, propaganda; missionaries, subversive agents; retreats and monasteries, prisons; holy ritual, bizarre conduct; religious observance, aberrant behaviour; and devotion and meditation, psychomatic trances. As Gutman sees it, numerous constitutional values have been infringed upon. The ill treatment of fringe groups flies in the face of "disestablishmentarianism." The treatment of cults is cruel and unusual punishment. The cults have been prevented from assembling freely and their rights to petition the government and get legal recourse have been made a mockery. Victims of deprogramming have not been secure in their persons and to make matters worse have had, with the aid of the legal process, friends and families discriminate against them

and vilify them in the courtroom. As a supplement to these statements, Gutman has said there have been serious denials of due process in the abusive use of conservatorship statutes, which have been implemented in the United States to ready cult members for infamous deprogrammers.

Delgado's views stand in direct contrast to those of Gutman. In "Religious Totalism: Gentle and Ungentle Persuasion Under the First Amendment." (Southern California Law Review, 51:1(1977) 1-98), Delgado does not see the protection of the freedom of religious practices as absolute but rather the subject of a series of balancing tests. He begins his discussion by pointing out that there have been limitations placed on religion-based behaviour where the behaviour was socially harmful. As well, Delgado explores the condition of voluntariness, which has been given protection in both civil and criminal law. Delgado sees the cult groups as socially-destructive and as responsible for incapacitating persons at risk, who are then left unable to discriminate among choices or to exercise their freedom. By working through analogies, namely with areas of the law, such as contracts, torts and crime, and through looking at legislation, such as provided for consumers, Delgado proposes a whole set of techniques for undoing the evils wrought by the modern cults. He avoids entering into a discussion about the credibility of their belief systems but rather focusses on their actual practices and their violations of citizens' rights and bona fide state interests. In so doing, although he is correct in distinguishing between beliefs and conduct he overemphasizes

the case for regulation because he fails to emphasize the extent to which conduct is affected by the colour of religious belief.

Neither Gutman's nor Delgado's views should be accepted as offering persuasive policy guidelines for legislative and judicial action. We should at the outset admit that there are problems of a serious social nature with respect to the cults. We should not define them *prima facie* as outlaws in our society and therefore conceive of every device to smother their actions. This would amount to nothing else but discriminatory and unwarranted state intervention. We must at the same time not be too quick to whitewash cults and to fail to appreciate how they are different from most familiar religious groups, which we do tolerate in the name of freedom. Nevertheless we should not construct legal devices for the purpose of control, which may stretch areas of law, such as contract and tort. These require special protection in their own right as distinct bodies of doctrine to preserve the integrity of the parts of the legal system. In the end it is perhaps most important that high standards of proof be maintained if allegations about mental incompetency are to be brought against cult members or their leaders.

Although Delgado's analysis is at first glance more responsive to practical realities than Gutman's and is more reflective of legal options available either in common law or through the legislative process, there remain a number of fundamental difficulties with his thesis. Delgado nowhere

attempts a definition of a cult. At least he might have attempted a sine qua non to legitimate his set of aggressive propositions. What he has succeeded in doing is to isolate a set of woes associated with cult practices. This is not dissimilar to anti-democrats or anti-communists who list reprehensible practices of the 'other' group. They inevitably conclude that the ideology which the opposing group represents is inherently evil and should be outlawed. Delgado's postulates take on a polemical tone because he neither attempts to list the criteria for definition nor investigates the social psychiatric roots which have encouraged our adolescent population to show dependency on cults.

There are a number of pressing questions left unanswered. Are there cases where people have undergone experiences of hard persuasion and can be seen to have had a net gain psychologically? Are there aspects of so-called cult life which are in fact socially productive, even as negative forces which serve as checks against smug commitments to values which appear rhetorical to large numbers in society beyond the cult population? What ultimately is the notion of health or normalcy to which Delgado subscribes? Surely it is not our job in society to aim laws at producing the optimum citizen, the reasonable person who shares in the aims and ideals of the majority. This is not to say that we do not value certain goals as fundamental to a social democracy. But it does mean to convey the notion that in a libertarian democracy we avoid channelling people through a tunnel of majoritarian values. This is what distinguishes a democracy

from a totalitarian regime. Ironically, there is an element of potential if not actual monolithism in Delgado's assertions.

Delgado underlines the premise of his treatment of the cults as the principle of balancing. This is not inconsistent with enlightened utilitarianism. It is suggestive of our Anglo-Canadian approach to the settlement of legally-ripe disputes. Given that we do not have an entrenched Bill of Rights in Canada some commentators might be tempted, in looking at the U.S. experience with respect to fundamental rights, to conclude that there is less civility or protection attached to freedom of religion in our legal culture. From a social-historical viewpoint there appears to be no serious reason to believe this. On reflection it may be seen that our lack of entrenchment coupled with the protective rights entrenched in our common law tradition have proven sufficient both ethically and pragmatically to realize civilized social ends. Furthermore, our existing Bills of Rights, both federal and provincial, sit not only as symbolic but as efficacious watchdogs to make certain that the courts have effective leeway when traditional remedies prove unsatisfactory.

Not everything of a disturbing social nature should be regarded as material for adjudication. If a member of a cult group appears at someone's door and presents a hard sell for conversion, it may be aesthetically repugnant or even immoral in the eyes of the beholder. But we need much more to intrude with the force of law. Legal remedies have always been reserved by the common law for matters of extreme moral

outrage around which there has been a strong social consensus which judges can fit into the 'precedent' system. Two criteria must be satisfied. Firstly, the legal doctrine which supports the decision rests on a coherent set of rules. Secondly, whatever legal decisions are made afford a well conceived foundation for future proceedings. This simply means that lawyers, judges, and citizens should be given every possible opportunity to arrange their lives in a way that does not overwork the legal system and result in its politicization, while guaranteeing that profoundly unjust practices will be checked by legal sanction.

It should be observed that there is a broader and more socially ambitious project that stands behind Delgado's treatment of cults. Despite various attempts in his paper to convince the reader that he is a libertarian, he is persistent in giving licence to retrain and rehabilitate those who fall below a functionally-oriented standard of normalcy. In this he appears to share some of the assumptions of the psychiatric testimonials to which he refers. We know these to be controversial from our recent experiences with expert psychiatric testimony in the courts, such as the Patty Hearst case. He assumes that by definition cults induce involuntary or psychotic states which alter personalities to the point where the actual identity of the person is transformed beyond the point of recognition. Delgado admits that there are borderline cases. He also must believe that the mental health professionals are at this point in time true experts in being able to assess who will fall in or out of the category.

Delgado notes:

"The victim's dependence on the group and the thought structure it offers results in gradual changes in the language base in which discourse and thought are carried out. Old, emotion-laden words are given new, rigid, simplified meanings. The new vocabulary is at once literal, magical, and task-oriented. Converts' speech patterns demonstrate a lack of humour and an inability to appreciate and use metaphor. Critical thinking and the asking of questions is discouraged." (Ibid. p.14)

In his view traditional religious seminaries do not forcefully inculcate their ideas with resultant neuroses and psychoses to the degree that cults do. But there is a great deal in his appeal to social science data and sentiment which would apply equally to the seminarian and the first year law student. In my perspective it is always mildly surprising that there are persons who survive the ordeals of first year law school, and are able to regain their sense of humour, demystify legal jargon, and revitalize their use of metaphor. Conceivably there are also members of cults who are socially effective in the world, perhaps even likeable, which indeed may make some of their more pernicious numbers as dangerous as Delgado would have them. Surely we do not wish to argue that all cult members who do heavy proselytizing are in their very being dangerous. And while Delgado carefully avoids making such a far-fetched claim, the trend of his remarks is to so conclude. Having sorted out their inherent evil, Delgado then makes a move which has a familiar ring in history. That is to suggest that because the cults have an aura of deviancy about them, their members are to be viewed *prima facie* as corrupt citizens. He writes: "The view that the outside world represents the forces of evil

creates a 'we-they' attitude that permits dealings with persons outside the cult to be carried out according to ethical standards lower than those adhered to within the group." (Ibid. p.31) Many members of cults have participated in highly questionable violations of the law. But not all cult members have participated in all or even any of the violations which he notes. His caution stops him short of asking for the outlawing of cults. But he does state:

"Many areas in which cults have generated controversy--including drug usage, tax and welfare chiselling, fraudulent fund-raising, and violation of immigration and draft laws--while not intrinsic to the assessment of mind control and forceful indoctrination practices are nevertheless relevant to a determination of the degree of toleration to be allowed. Because many activities cults engage in are deviant and have a negative impact on society, and cults seldom, if ever, offer any socially useful programs, it is unlikely that the degree of toleration would be great, particularly if it appears that the practices in question are not demonstrably essential to the group's survival." (Ibid. p.49)

Delgado has refrained from giving us a definition of a cult, apart from listing reprehensible practices with which they have been associated. As he would not agree to outlaw cults, then surely our toleration for them should be no different than for any other group or citizen found violating the law. To say otherwise would be to make a claim for hounding the cults, which I take to be the concluding measure of Delgado's remarks.

This raises yet another pressing social issue. It would appear to be an essential ingredient of cult groups that

they resist or contradict certain widely-subscribed beliefs about the nature of our society or traditional religious doctrine. Many of them have been associated with Eastern religions which question western consciousness altogether, denying the efficacy and social humanistic value of a linear mind frame, such as our school systems and professional expertise to be found in classical professions like medicine and theology, the integrity of the nuclear family as a model for human relationships, especially child rearing, and our lack of commitment to all-embracing metaphysical ideals. To many the cults represent latter day heresy. But there is clearly, according to Delgado, something more disturbing than just that. He seems to be arguing that they are a threat to our social democracy, but more than that, that they induce psychoses. Are all the members of cults psychotic, or just some? If there is a high proportion of so-called mentally disturbed people in the cults what are our legal criteria for detaining them and placing them under treatment? These are serious social and legal questions which Delgado has chosen to avoid.

Delgado rightly points out that the reason the freedom of religion has been protected under the first amendment in the United States is to foster individual autonomy. He earmarks the American right to privacy as an essential ingredient in this plan. He observes that it is unlikely that protection should be given to mind controllers, namely the cults, insofar as by their very nature they diminish rather

than add to the ability of the "victim" to make private life decisions. Unfortunately this begs the question about what is to be deemed private. Delgado appeals to the view of those who see cults as "spiritual fascists" who deprive their members of the ability to make individual decisions about religious matters. What Delgado appears to be saying is that cult members who believe in the cult's world view have been by definition incapacitated with respect to their autonomy or would not be committed to the cult world view. There is an ironic turn of reasoning in Delgado's treatment of deprogramming which exposes the strong hand of his argument. "But if a cult indoctrinee, sharing our view of events, admits that he was subjected to coercive influence, but desires to remain with those who are responsible for his present condition, we may conclude he should be permitted to remain with the cult, since the present individual would seem to have surmounted his brainwashing and acquiesce in it." (Ibid. p.60) At this point it is hard to separate Delgado's perspective from that of an autocratic overseer.

As we noted earlier there are a number of disquieting practices associated with cults, which justify social and judicial attention. The widest category is proselytizing itself. The issue is coercive persuasion. In my view both proselytizing and deprogramming should be understood "as a continuum of interventions into persons' beliefs systems. They may, depending on one's perspective, function as two sides of the same coin. The rhetoric that has been attached

to the legal actions and discussions of the rights and obligations of the parties involved has exposed that whether one is defined as a giver or a subverter of beliefs is dependent on how one chooses to prejudge the case."

(Weisstub, D.N. "Of Proselytizers and Deprogrammers." Paper presented at a Conference on Deprogramming. University of Toronto, March 18-20, 1977). The same descriptions are given to proselytizers and deprogrammers. And those embroiled in confrontations do not see their concerns as rhetorical manifestations. Each sees the other as a contemporary inquisition from which few escape without the expected confession. This is so because cults represent a complete world view and once arrived at, the converted can see the deprogrammer or social interventionist as nothing other than the force of evil attempting to dismantle a total commitment. It has never been the project of a civilized court to step into the midst of dialogues or hard core persuasions about metaphysical realities. On the criminal side, to my knowledge, no court has ever imposed liability upon a religious group because of its proselytization and indoctrination methods. The real issue, both in criminal and civil tribunals, has been that of voluntariness. One of the most interesting recent cases on the cults, People v. Angus Murphy and Iskon Inc. (413 N.Y.S. 2d 540 (1977)) found that techniques of mind control or "brainwashing," even if employed in religious indoctrination to subvert rational thought through ritualistic methods such as incantation and abstinence, cannot be found to be criminal per se. The courts have been careful to ensure that initiation procedures and conditions of membership

in religious groups be maintained as matters of ecclesiastical jurisdiction, unless there has been an overt violation of the criminal or civil law. In intervening on the premise of coercive persuasion, courts have moreover attempted to restrict their concern to such matters as the validity of conveyances, for example, where a tangible legal interest could be isolated (Application for the Charter of the Conversion Center, 388 Pa. 239, 130 A. 2d 107 (1957)).

This does not mean that traditional common law remedies cannot be adapted for dealing with questionable and coercive practices by cult groups. In the law of intentional torts, the law of false imprisonment stands out as the obvious area for exploration. This tort emerged in the 19th century as a natural extension of the remedy for battery and was initially restricted, without proof of damages, to instances where definite and fixed physical boundaries could be proven. Over time, false imprisonment actions have been modified to accommodate diverse and subtle constraints on the quality of physical movement, and have also contained a psychological component. Defendants have been exonerated where a reasonable means of escape was available to the plaintiff. If it could be shown that a reasonable person would have feared considerable humiliation or discomfort, then the courts have been sympathetic to find imprisonment. It has not been a necessary condition of the tort that something tantamount to an arrest take place. Indeed there is a line of opinion, the principle case of which has been Meering v. Grahame-White Aviation Co. Ltd.,

(1919) 122 L.T. 44 (C.A.), where Lord Justice Atkin found that "a person could be imprisoned without his knowing it." In the words of Lord Atkin, "I think a person can be imprisoned while he is asleep, while he is in a state of drunkenness, while he is unconscious, and while he is a lunatic...so a man might in fact...be imprisoned by having a key of a door turned against him so that he is imprisoned in a room in fact although he does not know that the key has been turned." Where plaintiffs are able to show that restraining forces were present during indoctrination without the plaintiff's knowledge, the existing tort law can provide redress.

Historically intentional torts were designed to effectively punish defendants for behaviour regarded as outrageous and malicious. In Canada, courts have been disposed to affording plaintiffs punitive damages. The former Mr. Justice Schroeder, in the case of Denison v. Fawcett, [1957] O.W.N. 393; 10 D.L.R. (2d) 722; aff'd., [1958] O.R. 312; 12 D.L.R. (2d) 537 (C.A.) provided the rationale for a civil judicial response to a defendant's callous disregard for a citizen's dignitary rights. "Generally however, such damages may be awarded in actions of tort, such as assault, trespass, negligence, nuisance, libel, slander, seduction, malicious prosecution and false imprisonment. I do not think that it can be stated with any precision what may be classed as aggravating circumstances but malice, wantonness, insult and persistent repetition have always been regarded as elements which might be taken into account."

The difficulty of effectively using the tort of false

imprisonment arises in some more subtle examples of mind coercion. It involves what stand a court would take in the event that the plaintiff or someone suing on his behalf would be caught in the awkward position of acknowledging that the plaintiff was sometimes positive to the feeling of constraint, or at least, for a critical period did not regard the constraint as violative. The argument on behalf of damages is connected to the principle that mind coercion takes away the capacity of the individual to move freely in the world, that is to have autonomy both physically and mentally. Thus in certain circumstances the appearance of physical freedom may not be a safe indication that a plaintiff is unrestrained in a meaningful sense. The legal solution must fall down on whether the defendant intended to restrain the plaintiff in some fundamental respect.

The standard in dealing with outrageous conduct in intentional torts is that of a reasonable plaintiff. But where the defendant has had specific knowledge of the plaintiff's vulnerability and sensitivity, the defendant will be held to that standard. This rule was first established in the case of Nickerson v. Hodges, 146 La. 735, 84 So. 37, 9 A.L.R. 361 (1920) and has since been well-documented. This is potentially very important if the current literature on the extent of vulnerability of the adolescent membership of cult groups is correct. This rule will then cover cases where defendants would be deemed to have known that the natural and probable consequences of their actions would have

been for plaintiffs to have believed that constraints, physical or mental, would result from an attempt at liberty. The fact that the plaintiff's response could be proven irrational compared with that of an ordinary person would be no defence if the defendant could be causally connected to the plaintiff's condition.

The matter of mere mental restraint is more difficult. There has not been a case in false imprisonment with respect to cult behaviour which has been grounded on mind coercion. However, there is some jurisprudence which suggests that such parameters could be built where, as a secondary manifestation of mental fear or embarrassment, a plaintiff would find his movements restricted. In the case of Chaytor et al. v. London, New York and Paris Association of Fashion Ltd. and Price, (1962), 30 D.L.R. (2d) 527 (Nfld. S.Ct.), Justice Dunfield found that the plaintiffs "were highly desirous of avoiding embarrassment to themselves ...I consider therefore that there was what one might call a psychological type of imprisonment. In addition to this of course the plaintiffs were subjected to an objectionable form of public treatment." Until now courts have been loath to deal directly with mind coercion. But even if without the benefit of expert psychiatric testimony, it could be revealed that plaintiffs were so set upon by public humiliation in the face of their personal desire to leave the group and that the defendants had in mind to bring about that specific result, it may be ripe for a Canadian court to conclude that an

imprisonment had effectively taken place.

A troubling instance of imprisonment arises when a parent is denied access to a child who for reasons of his own mental imprisonment would not regard himself as imprisoned when given the facts, or would be unaware of actual physical restraints. The issue is whether a parent should be allowed to establish his own separate cause of action for false imprisonment. The principle would be that the parent-child relationship is so strong that if the preponderance of evidence would show that the child was being imprisoned without his knowing it, then the parent has sufficient investment in the relationship to warrant damages to protect the dignitary interest. This would proceed as a separate ground of recovery from that available under a child welfare act or habeas corpus proceeding. It would also be distinguishable from recovery under the intentional infliction of mental suffering and the probably now-defunct action of alienation of affection. A positive recovery in this example might be interpreted as stretching the false imprisonment action beyond its sensible limits. It is justifiable though on grounds of public policy. For if it is an imprisonment to have a purse or an automobile taken from one's person, is it not a stronger argument for imprisonment, if a child, lacking awareness, is imprisoned by a cult group with the consequence that a parent cannot gain access to the child? Establishing a separate ground of recovery is relevant in the event that some Canadian courts would choose to follow the case of Herring v. Boyle, Ct. of Exchequer, [1834], 1 Cr. M. & R. 377;

149 E.R. 1125. In that case, the court decided that because the infant plaintiff was not cognizant of his restraint, even though he was in fact imprisoned, there was no recovery.

Perhaps the most forceful avenue available to common law courts is to pursue defendants who have wilfully set out to damage the psyches of their victims. Until the latter part of the 19th century, commonwealth courts were extremely hesitant to establish recovery for mental inflictions. There were legitimate fears that plaintiffs would be encouraged to exaggerate their traumas and that, as a broad social policy, courts should tolerate aesthetically or even ethically repulsive acts. Nonetheless with the case of Wilkinson v. Downton, [1897] 2 Q.B. 57; 66 L.J.Q.B. 493; 13 D.L.R. 388; 76 L.T. 493, a nominate tort was created which has already produced a substantial jurisprudence. Professor Calvert Magruder, in reviewing the early history of the tort, commented:

"We would expect, then, the gradual emergence of a broad principle somewhat to this effect: that one who, without just cause or excuse, and beyond all bounds of decency, purposely causes a disturbance of another's mental and emotional tranquility of so acute a nature that harmful physical consequences might be not unlikely to result, is subject to liability in damages for such mental and emotional disturbance even though no demonstrable physical consequences actually ensue. Such a formula would not decide concrete cases; but it is as practicable to apply as the standard of reasonable care in ordinary negligence cases, and it would permit the courts to exercise a judgment upon the merits of the particular case, unembarrassed by the notion that the interest involved is beyond the pale of legal protection... In a further stage of development, cases might arise where liability would be imposed, though the defendant did not act for the purpose of causing the mental disturbance, but realized, or perhaps should have realized, that such a consequence would almost surely follow. The suggested

formula is merely a conservative starting point consistent with the historical evolution of the law of torts." (Harvard Law Review, 49 (1936) 1035).

Although the American courts have gone so far as to give recovery for extreme and insulting behaviour, commonwealth jurisdictions have attempted by and large to contain liability to inflictions which could be related to some physical manifestation of the suffering. It is unclear what the Canadian response would be in the event that a case could be produced of intentional infliction, where the grief was extensive, the indignity substantial, but insufficient to require medical treatment. If the courts would be hesitant to grant recovery, a lesser claim could be given relief through the doctrine of negligence. It is already established in Canadian law that a defendant will be held liable if it is reasonably foreseeable that nervous shock as opposed to any physical injury would be the result of his actions. Mr. Justice Edson Haines has recently summarized the law:

"It would seem both logical and necessary that the test be foreseeability of nervous shock rather than just foreseeability of injury. While nervous shock may result in physical damage and while physical injury may often result in nervous shock, the two cannot be so closely linked as to be inseparable. Foreseeability of nervous shock may result from the same facts as does the foreseeability of physical injury or it may result from entirely different facts. For the present at least, I am convinced that foreseeability of the one type of injury cannot be automatically assumed from the foreseeability of the other. For this reason, the test must be the foreseeability of nervous shock itself." ([1972] 2 O.R. 177)

The most predictable defence available to defendants

in actions under intentional torts is "consent," which serves as the functional equivalent of voluntary assumption of risk in negligence actions. Tort law operates with the premise of free will unless there is strong evidence to the contrary. As Mansfield has written in "Informed Choice in the Law of Torts" (Louisiana Law Review, 22(1961)17):

"The most obvious consequences to be drawn...are that a plaintiff should not be compelled to do what he does not choose to do nor prevented from doing what he does choose to do. If he chooses to suffer the invasion of a normally protected interest or expose himself to an unusual risk, he must not be held back. Nor, after he has acted, must he be deprived of the fruits of his choice if he is satisfied with them. These consequences appertain most directly to the plaintiff's freedom, and to withhold them would be to suspend the operation of that very process of free choice upon which, as has been said, the hopes of realizing the individual and common good are primarily founded."

In looking to examples of cult behaviour, it is important to characterize the nature of the relationship that exists between cult leaders and indoctrinees. To what extent may we analogize between that relationship and those of the physician and patient or between penitent and priest? The familiar relationships of the classical professions have given rise to a series of consent cases which demarcate the boundary conditions for meaningful or informed consent. If it can be demonstrated in any situation of trust that the defendant was fraudulent or deceitful, then the consent will be vitiated in law. Unless there is sufficient information that can allow the plaintiff to make a free and informed choice, a present day court will hold the view that the plaintiff was moved to action without full and conscious volition, and possibly under

coercion or duress. Courts have broadly determined, especially in cases involving risk, that the higher the risk, the greater the demand for complete disclosure.

Medical personnel have been allowed to exercise therapeutic privilege when it could be argued that a reasonable member of the profession would have withheld information from the plaintiff because the risk was collateral rather than central (that is, not going to the nature and quality of the act) or when there would be greater harm to the plaintiff in the telling. Without any doubt common law courts are in a position to give damages to plaintiffs, misinformed or misled about the nature of experiences in which they have agreed to participate. The exculpatory clause of a "therapeutic privilege" would not be readily applicable to highly suspect and dramatic experiences of deprivation and mental infliction identified with the cults.

Given the degree to which we commit ourselves in our judicial system to freedom of choice, we may begin with this premise: "One can consent to a process of coercive influence. An individual who enters a monastery to become a monk or a seminary to become a priest consents to the outcome even though the process may involve coercive elements. Consensual submission to such coercion shows that an individual understands the effects of the coercion and accepts the results. Consent requires voluntariness and knowledge, but neither condition can be applied as an absolute." (R.N. Shapiro, "'Mind Control' or Intensity of Faith:

The Constitutional Protection of Religious Beliefs," Harvard Civil Rights-Civil Liberties Law Review, 13(1978) 787-8.) It is necessary in situations where there has been deviousness or excessive manipulation of the individual to ascertain whether the individual was placed in a circumstance which either diminished his understanding or capacity for choice. Where the experience could be regarded as experimental, Canadian courts have taken the lead in common law jurisdictions in extracting a high standard. Halushka v. University of Saskatchewan (1966), 53 D.L.R. (2d) 436 (C.A.) defined the criterion for experimentation as full disclosure in a medical context. The point is even stronger for non-medical practices where the plaintiff is more vulnerable because the nature of the experience is less clear in its destructive potential, according to the perception of a reasonable person. Despite the fact that some American courts have constructed the standard in cases of informed consent in medical practice as that of the reasonable patient, for example, Canterbury v. Spence, 464 F.2d 772 (1972) and Cobbs v. Grant, 502 P. 2d 1 (1972); 8 Cal. 3d 229, Canadian jurisprudence has persisted in setting the standard in issues of consent on the subjective plane. It is necessary in our Canadian law for a defendant to consider the capacities of the plaintiff. As observed by Professor Ellen Jacobs Picard in "The Tempest of Informed Consent" (Studies in Canadian Tort Law, edited by Lewis Klar, Toronto: Butterworths, 1977, p. 129): "The Canadian cases, with the possible exception of Halushka v. University of Saskatchewan, use the subjective test." This

suggests that Canadian courts are likely to take a stern view of defendants, aware of a plaintiff's weaknesses (mental or emotional limitations), who contrive results which reflect unfair or unconscionable advantage in the information transaction.

In the matter of fraud or deceit it is admittedly difficult to distinguish between actions which go to the nature and quality of the act and those which are collateral. In commenting on this distinction, Mr. Justice Allen Linden has written:

"It seems that the courts are distinguishing between gross and serious frauds on one hand and minor and less fundamental deceptions on the other. It may be acceptable to excuse the perpetrators of minor frauds from criminal responsibility in these cases, but tort law need not adopt the test of the criminal law. In a civil action the courts should be less ready to relieve these liars and cheats from tort liability for the consequences of their frauds. Even a minor deception, if it is reasonably relied on by someone, would be actionable in tort if loss results from it." (Canadian Tort Law, Toronto: Butterworths, 1977 p.129.)

The consent issue is highly dramatized in cases involving overtly vulnerable persons, such as children, the senile and mental patients. There are both common law and legislative provisions for insuring that the best interest of these persons is protected. With respect to unemancipated minors, parental custody is deemed paramount unless the burden of proof is altered by evidence, indicating that the child's welfare has been placed in peril. Once a child has, for legal purposes, reached the age of majority, the parent-child relationship becomes complex, as the bond remains despite the

fact the child's rights become consistent with his emancipation. The parent may still reserve the right to intervene on behalf of a child whose actions have taken on the colour of involuntariness.

In our judicial system, we are cautious about interfering with free, albeit, profoundly misguided choices with respect to life-style. Short of overwhelmingly persuasive situations of mind coercion where a particular person can be identified as the causal agent, the recourse from the perspective of social intervention on behalf of citizens of majority age will have to lie in a civil commitment proceeding. The 1978 amendments to the Ontario Mental Health Act inform us of the degree to which we are prepared to protect freedom of choice even in the event of involuntary commitment. Not only have the criteria for commitment been tightened but also the procedures under which a person may be treated where there is incompetency proven with regard to consent. Given that we have invested so much to protect freedom of the will, it is unlikely that, as a society, we would readily give up the risks attendant on bad choices made by vulnerable persons. If a person is so disturbed that he is truly incapacitated and cannot function in society, we move to commit him for his own protection, or that of others. If his vulnerability has occurred through imprisonment, wilful infliction of suffering by others or through fraud and deceit, his remedies lie in common law under intentional torts.

We afford a small and restrictive number of persons

social protection through our involuntary commitment statutes. In moving to rehabilitate the mind and emotions of the vulnerable, we must in the face of our principles in the final analysis distinguish carefully treatments of a medical nature from interference with belief systems. The two are not neatly separable in hard cases. Therefore, current discussions in the province of Ontario, such as those reflected in Options on Medical Consent prepared by the Interministerial Committee on Medical Consent, published in September, 1979, are critical to guarantee that we have properly reflected on procedures to protect the patient's interests.

An interesting development in Canada, worthy of special note is the Alberta Dependent Adults Act proclaimed in 1978, which provides for "partial guardianship." The Act was designed to protect adults, 18 years or older, who because they have been unable to "make reasonable judgments in respect of all or any of the matters relating to [their] person" may be the subject of a guardianship order of a District Court of Alberta (Surrogate Court). This allows for the guardian to make or assist in making reasonable judgments involving the person's best interests. This may include the right to determine where the dependent adult may live permanently or temporarily, the right to decide "with whom the dependent adult is to live and with whom the dependent adult is to consort," and "whether the dependent adult should be permitted to engage in social activities and if so the

nature and extent thereof." When this order is first made, the court is obliged to specify the times when the order shall come under review at least once every two years. The implications of such broad discretionary powers for civil rights violations of persons, who do not fall into the category of civil commitment, must come under careful scrutiny, particularly in instances of cult membership. This is so because in the U.S. setting there is evidence that guardianship statutes have represented expeditious techniques for seizing individuals who would not otherwise come under the penumbra of involuntary commitment procedures with their built-in due process safeguards.

If persons can be found whose debilitation has reached a degree that has rendered them overwhelmingly dysfunctional, we have already produced mental health laws which make it possible to exercise cautious and justifiable medical discretion. We are forced to ask ourselves if we are prepared to take the risk as a social community of enforcing treatments in the name of freedom. I am not prepared to say that there are no such cases. The answer lies in the balancing of our values and in the courage of our convictions, either to protect the individual from himself or from us. As in any instance where we are forced to balance risks with respect to basic values, such as freedom, there will be hard cases whose resolution is unclear. If we could produce a case where a person's actions attest to a shattered and transformed personality, and there has been a successful

action in false imprisonment, deceit or mental infliction, should we at that stage have a special discretion invested in a judicial authority to satisfy a social interest in treating the victim in his best interest? Or should we have faith in existing remedies, such as returning a child to the custody of his parents, and the current scope of civil and criminal penalties? Is it the case that our mental health laws will be sufficient to cope with the vast majority of situations, and that we should therefore be prepared to resist devising rules which in their breach and broad discretion would contain dangers which as libertarians we cannot abide? I would recommend containing our desire for perfection and restrict our interventions to common law remedies and existing legislation. We may wish to make some remedial moves, such as tightening up consumer legislation to keep unconscionable converters on their best behaviour. But here again we might ask ourselves whether there is a net gain to be expected in singling out the converter from the ordinary deceiver. If a product or a set of expectations is fraught with misrepresentation and deceit, the common law has the historical capacity if called upon to redress the wrong.

Professor Walter Tarnopolsky in his book, The Canadian Bill of Rights (Toronto: McClelland and Stewart, 1975), has pointed out that freedom of religion in Canada before and after the enactment of the Canadian Bill of Rights is in the essential aspect of freedom equivalent to that found in the

United States under the first amendment. In the words of Justice Rand in the landmark case, Saumur v. City of Quebec [1953] 2 S.C.R. 299, 327: "From 1760, therefore, to the present moment religious freedom has, in our legal system, been recognized as a principle of fundamental character; and although we have nothing in the nature of an established church, that the untrammelled affirmations of religious belief and its propagation, personal or institutional, remain as of the greatest constitutional significance throughout the Dominion is unquestionable."

REPORT ON PHYSICAL AND MENTAL HEALTH ASPECTS
OF
RELIGIOUS CULTS AND MIND EXPANSION GROUPS

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INTRODUCTION

This report has been one of the most difficult assignments undertaken by this author. The prime obstacles involved some major issues which are becoming paramount in controversial areas of the health care delivery system, such as abortion, euthanasia, sterilization, and anti-social adolescents.

The problems include the fact that there are few absolute rights and wrongs but rather shades of grey, differing opinions, considerable rhetoric, vehement disagreement, and fervent anger. As well there is a dearth of valid and reliable research findings providing comprehensive answers to the dilemmas presented. Final reports are either controversial or inconclusive. Many individuals with vested interests in any of the issues remain dissatisfied.

Moreover there is no longer a restriction to health practitioners in these issues. There is equal and, perhaps, greater weight given to other constituencies, such as lay, consumers, legal, philosophical, and religious. For any significant step taken in any direction, there is a retrogressive step elsewhere. A price is to be paid for literally any move. Compromise is the new modus vivendi.

Nowhere have these caveats been more evident than in the data gathering and in the preparation of this report.

The more information collected, the less certainty could be applied to any findings or firm recommendations.

I would like to thank the staff of the study for their help in preparing this report: Dr. Daniel G. Hill, Prof. Marvin Schiff, Ms. Shannon Hogan, Ms. Wendy Paniuk, Mr. Casey Hill, and Ms. Mary Ashkewe. I would also like to express deep appreciation to all those who submitted papers, cases, briefs, presentations, time, and energy to this effort and to Ms. Liane Sharkey for her typing, organization, guidance, and general help.

CASUALTIES

There is no doubt that, given sufficient stress, individuals may "break down" by becoming extremely anxious, confused, frightened and bizarre. This can happen particularly to individuals who are vulnerable, involved in a state of personal crisis, have a "weak" personality or deficient social support network, and find themselves in situations in which they feel they have no control. The nature and intensity of the stressing agent(s) are extremely important and obviously vary considerably in their potential for inducing harm. What one individual can weather and even enjoy, another might find oppressive and destructive. This has not only to do with the stress itself and the person's emotional state but also the context and timing of the stress, a dissonant value system, and the cognitive "map" of the individual.

We shall look at reported casualties of mind-bending groups, which promise psychotherapeutic change, self-improvement and heightened self-awareness and cults, which have goals that are more spiritual or religious in nature. This dichotomy proves spurious at times since many groups claim to be both or neither. But for purposes of this report, we shall attempt to utilize this schema.

MIND-BENDING GROUPS

I have personally reviewed the medical charts of 12 patients who have been hospitalized shortly after they participated in various kinds of marathon therapeutic groups, which operate with variations of the encounter group theme. The families of the patients felt strongly enough to officially complain to one of the provincial ministries, such as the Ministries of Health, Attorney General, and Solicitor General. I have also reviewed numerous published case reports of similar experiences, personally interviewed more than 100 "graduates" of various experiences and many clinicians who have had personal or peripheral experience with patients and clients in various groups. I have also interviewed officials of various mind-awareness programs and spoken to other clinicians and others who have expressed interest or had a significant contribution to make.

It would be ludicrous to state that no harm can befall any individual who undertakes one or another of these groups. Group leaders are obviously biased and seldom do follow-ups once the group is over. At times they feel personal distress can be viewed as a positive result and, in other cases, feel what befalls the individual is his (her) own responsibility and should not fall under the domain of the leader.

On the other hand, one can easily overstate the harmful effects of these groups by looking only at clinical

case material and reports of casualties without examining participants who have not been harmed and enthusiastically support particular group experiences. While this is not a scientific study with experimental and control groups, we have kept that structure in mind when reviewing material and interviews in an attempt to be objective in preparing this report. Unfortunately there are few well-documented case reports or well-controlled scientific studies in this area.

With these caveats in mind, I feel strongly that many casualties are still sufficiently well-documented to give some cause for concern. While most clinicians would not attribute the cause of major mental illness, such as schizophrenia and manic-depressive psychosis, to any of these experiences, their aggravation and precipitation of symptoms has certainly occurred in some cases. But the effects of intense anxiety and confusion predominate. The kinds of symptomatology and signs that have repetitively been reported are change in behaviour, such as insomnia, depression, fear, memory loss, obsessive ruminations, extreme tension, disorientation, crying, suspiciousness, and self-deprecation. These vary in intensity in different individuals, and even in the same individual, at different times. At its most dramatic, extremely bizarre behaviour, psychotic decompensation, total loss of contact with reality, suicidal preoccupations, and grandiose or other delusional ideation is seen.

To reiterate, relatively few participants of these courses or groups deteriorate psychologically. Many reports

refer specifically to hospitalized individuals, and this is obviously a skewed sample. But by the same token, because of the continuum of intensity of reaction, the majority of those adversely affected are also not reported.

There are two major ingredients in the breakdown of any individual during or as a result of these groups. These are the nature of the group and its leader(s) and the personality of the individual member who does have a bad experience.

The group format and activities at times prove to be too stressful for some individuals. This is especially true in those groups which use confrontation tactics to "break down" the defenses of participants whom they perceive to be rigid or uptight or repressed or resistant. The confrontation usually occurs in front of all the members and has the attributes of an inquisition leading to a cathartic confession of real or imagined misdeeds or sins. The power of the group (any group) is such that a vulnerable individual will often believe and incorporate the attacks of the other members and especially the leaders.

Some groups engage in limitation of freedom, removal of watches, drawing of blinds, restriction of physiological function such as diet, sleep, bladder, and bowel elimination, and even physical restraint or superficial violence. These procedures obviously can prove to be stressful and frightening and should be carefully controlled. But we should bear in mind that even without these more crude devices, verbal

brutality and violence, especially in the context of a group, can precipitate an acute intrapsychic crisis.

A vulnerable group member is in a dangerous situation when he or she perceives relentless criticism and attack from the leader and this is "validated" by the other group members, when he or she feels rejected and even ostracized by the group and when the pressure is unrelenting for hours on end. Even if the group allows the member permission to drop out, this is easier said than done. The structure and dynamics of the group are such that to leave implies failure, humiliation, shame, guilt, fear, and confusion. The freedom to leave becomes a meaningless sham because the individual wants to leave but can't because of the pressures.

The leader proves to be of special importance. As I.D. Yalom has shown in his studies, those leaders who are so-called "aggressive-stimulators," highly verbal, charismatic, authoritarian, intrusive, challenging, and confronting, also cause relatively more problems for susceptible members. Those leaders not only browbeat the members but serve as models for behaviour in the group. In due course, many others are engaging in destructive games.

Some individuals also seem affected by the sheer intensity of the activity. It has been described as "input overload," or over-stimulation. Some personality types operate at a quieter, more private level and cannot handle persistent public pressure, even if it is not necessarily

directed at them personally. The constant "noise" or level of affect has proven to be confusing and threatening to some participants. This is an example of a uniform practice in some groups, applied irrespective of the individual and unique needs of the members.

Again, this is not to say that any or all of these groups are not supportive and helpful to many members. But we are concentrating on potentially deleterious practices which adversely affect some members. It is also important to note that while the style of the leader is very important, a breakdown can be precipitated by other types of leaders or groups. However it is not to the same extent. At times this model of behaviour of confronting and attacking turns out to be the *modus operandi* of one or more group members who can prove every bit as destructive as the leader. At this point the latter's function ideally would be to steer the group into supportive behaviour or at least into modes which are not as exposing of vulnerabilities. He should be able to "control" the negative elements within the group.

Unfortunately, this is not always the case. Many group leaders don't see their role as "controllers." The current ethic of "let it all hang out" and "me first" goes against significant and meaningful caring in many groups. Protestations of caring, love, and intimacy seem ludicrous among people who barely know each other and will be together for a relatively short time. Furthermore, it is confusing and conflicting to present these latter messages in a context of mutual attack.

In addition, many groups' leaders are not trained or adept at picking up or sensitive to symptoms of psychological decompensation or vulnerability. This is not necessarily a function of lack of training, although it may be. The personality of the leader is what is destructive at times to some members. Also, these leaders often go through the identical ritual of group process and procedure without due regard for individual and group differences. To impose the same theoretical and clinical approach on all clients, irrespective of personal needs, personality and context, is both ludicrous and destructive. Finally, virtually none of these groups engage in meaningful follow-up -- except to proselytize -- and to see the effects, if any, of the group experience during an ensuing time period.

The second major factor in the "breakdown" of any individual as a result of these group experiences involves the personality of the individual. It is not enough to demand sensitive screening of potential candidates if the criteria for the screening procedure are unfounded or invalid. For example, the absence of any psychiatric history is not a safeguard, since the majority of individual casualties studied in my review and those of others indeed had no such history.

There have been a number of descriptions of individuals who are attracted to such groups. Attempts have been made to delineate just what constitutes vulnerability or susceptibility to undue psychological distress or even

decompensation. For example, in psychiatric terms, they have been described as individuals who utilize defense mechanisms such as denial, projection, repression and identification with the aggressor. But these intrapsychic dynamics beg the questions of screening for vulnerability. It would entail intensive interviews to get at these mechanisms. Further, the interrater reliability in these constructs is poor, and the actual correlation between the existence of these personality characteristics and the frequency of breakdown is low. That is, as a confident predictor, this approach leaves much to be desired.

At a more universally comprehensible level, those who are attracted to these groups are often engaged in a personal search for answers to existential dilemmas and personal conflicts. Many of them feel relatively alienated from their current lifestyles and society. At times, they feel demoralized, pessimistic, powerless, isolated, and uncomfortable with themselves and others. These characteristics are not uncommon in those who look to the groups for help and growth. The groups promise, either explicitly or implicitly, answers to their problems, an intense communal experience, and usually a perceived new belief system. And they deliver. That is, the majority of people who go through these experiences report positive effects. They talk of heightened awareness, self-realization, personal growth, and spiritual awakening.

What is even more important -- to this writer -- is their acquisition of strong group support, shared emotional catharsis, and communal values. Essentially they achieve a sense of believing and a sense of belonging. Their feelings of alienation and demoralization diminish. They feel happier, better about themselves, and commonly experience an intense euphoria. Their search is over.

Many become true believers, only too willing to proselytize and recruit, and to spread the Word, at times with messianic zeal. And like those with any other kind of mission, they have an absolute conviction in their beliefs, a reluctance to entertain contradictory opinions, and a rigidity and even intolerance of opposing or different viewpoints. Paradoxically, these experiences transcend the specific content and teachings of many diverse groups. While each organization has unwavering confidence in itself and absolute certainty about its own unique approaches and achievements, in fact, all committed members come across as uncannily similar.

Others do not become imbued with personal salvation. They see the group as a positive or even a neutral experience, but not necessarily one that has or will change their lives. Relatively few individuals who have participated in these groups relate a totally negative experience. This may be due to many reasons. One reason is that there are perceived positive effects on a large number. They feel satisfied with themselves and their activities or feel that they have made

an important "discovery." Another reason involves an intense group experience. It is difficult to feel differently and, more important, to express conflicting feelings when one perceives a unanimity among the rest of the membership. Another reason relates to cognitive dissonance -- the inability of human beings to accept a humiliating conflict -- in this case that they may have spent time, energy, and money on a worthless experience.

But there are some who report negative or destructive experiences. And as I have suggested, the numbers that have been reported or have come forward are probably an underrepresentation. Most of those with difficulties would prefer to forget and certainly would not get involved in public criticism, litigation and conflict with a group which they may even fear at some level.

Thus, who becomes a casualty? Who breaks down? It is not difficult to visualize a seriously disturbed individual unable to withstand the pressure of the group, decompensating or even having an acute psychotic episode. These have been seen and reported, but they are a minority of the casualties. Those who appear to be most vulnerable tend to be individuals with the most unrealistic, even magical expectations of the group experience. Their unrealistically high expectations of achieving some major personal breakthrough was especially frustrating because many of them tended to be rigid personalities, who found the kind of changes promised by the group impossible to achieve. They

felt totally discouraged and more hopeless than ever about personal growth.

Another important factor in those who become casualties is low self-esteem. Just as many of the successful graduates report an upsurge in self-esteem, so do the most vulnerable feel an affirmation of their low opinion of themselves. An insecure, unconfident individual is most vulnerable to the pressure of the group. It is indeed difficult to withstand attack, or even a feeling of being a minority of one in an intense group experience, unless one has a secure sense of self.

Recent personal crises in the lives of group members made them more vulnerable in a number of ways. For one thing, they were most likely to be searching for some answers to difficult questions. For another, their mental state was often not at its strongest. They may have been suffering from undue anxiety or depression, for example, or feeling generally uncomfortable with themselves and insecure.

Other signs of instability were apparent in the lives of some of the casualties. Recent and multiple changes, for example, were prevalent in some. Rapid and radical decisions, such as to quit jobs, leave families, and move frequently, were occasionally seen. At times these were coupled with other evidences of an ongoing personal search for salvation. They may have been in other kinds of groups,

in psychotherapies of various kinds, utilized drugs, and attempted new experiences on the fringes of society.

POTENTIALLY DELETERIOUS FACTORS

<u>Groups</u>	<u>Members</u>
Aggressive, confronting leader	Rigid personalities
Relentless group pressure	Disturbed individuals
No individual variation	Previous psychiatric history
Discrepancy between individual and group values	Unrealistic expectations - magical
Stimulus-overload	Discrepancy between individual and group values
Total control	Low self-esteem
Verbal brutality	Recent crises
Isolation	Personal instability
Disorienting tactics	Search
Physiological deprivation	Extreme needs
Lack of privacy	Defense mechanisms - denial
Group rejection	repression
Physical violence	identification with the aggressor
Group attack	projection
Extreme religious fervor	
Lack of clinical sensitivity	
No follow-ups	

Unfortunately, none of these criteria is sufficient, either alone or as a group, to account for all the casualties. There are examples of inflexible, unhappy individuals who will not break down even though they have low self-esteem, signs of personal instability, and totally unrealistic expectations of the group. Conversely, members who seem to have none of the risk factors might become severe casualties. Both of these variants have been seen. We are dealing with probabilities, and obviously good predictability is still a long way off. Furthermore our methods of screening leave much to be desired, as far as reliability and validity are concerned. Finally equally as important, and perhaps more so as has been suggested by Yalom, it is the nature of the group and its leader that is particularly crucial in the level

of the casualty rate of participants rather than their individual personalities.

By utilizing the term "casualties" in this highly specific manner, such as emotional decompensation, breakdown, and hospitalization, we do a disservice to the majority of complainants about the various groups. Many family members, especially parents, and friends lodge formal and informal complaints about the radical changes in their loved ones' personalities and lives. The complaints also are about loss of the affection or communication with their offspring. They accuse the group of having brainwashed, hypnotized or programmed members and see the casualties in these terms rather than in terms of mental disorders.

This is especially true in discussing fringe religious groups and cults. This will be discussed in the following section, although the findings can equally be applied here. The membership in these groups is by and large younger than those in the predominantly "therapeutic" groups. I would confidently estimate the predominant age range in the former (religious groups) as between about 18 and 30 years and in the latter (therapeutic) between 22 and 38 years, although there are some exceptions in both directions.

CULTS

This section is based on interviews with hundreds of cultists, reports of others from the same and related

disciplines, such as Singer, Ungerleide, Galanter, Deutsch, Rabkin, Needleman, Cox, Parkes, Stoner, Clarke, Pattison; interviews with parents, family and friends of cult members; and sessions with dozens of former cultists and the hierarchy of many cults.

The term "cult" conjures up pejorative images, but we will use it as a religious group on the fringes of North American society. It is not accepted by the majority of citizens and has a preponderant membership of young adherents. Its value system is at odds with mainstream middle-class society; a leader at the top is revered, has absolute authority and is totally obeyed. The leader has considerable and demonstrable wealth and power. Often there is intolerance for other religions, which are seen as ersatz.

While this definition has exceptions, it is sufficiently broad to encompass most popular cults that have become the subject of intense controversy during the last few years. Obvious differences in cults arise in their specific methods of recruitment, rituals, litany, literature, leaders or gurus, use of meditation and chanting, dress and use of specific words, phrases and manner of speech. However, the commonalities far outweigh the differences. Problems occur with lumping them all together, since some appear to be more oppressive than others. But complaints about members of various groups all sound alike. A "cult" to some prominent members of society is defended as a source of salvation by other citizens. Also, what we deem as religious in nature might apply equally to groups of other persuasions, such as

political, therapeutic, communal, and social, with intense belief systems. Unanimity about a definition among clinicians and others, such as theologians, social scientists, police, parents, deprogrammers, and civil libertarians, is virtually non-existent. Lastly, the documentation in this area is distressingly poor, and much more rigorous research is needed.

Most of the behaviours of cult members (that arouse complaints) do not fall into the traditional domain of psychiatrists. We are not dealing with psychoses, neuroses, characterological disorders and affective disorders, although these do occur from time to time and can be aggravated in stressful situations as discussed under mind bending groups. The complaints fall into two general areas: while in the cult, and after the cult.

WHILE IN THE CULT

During this time, parental complaints usually involve the degree of change in the individual. The cult member is described as less open, more guarded, speaking in cliches, and intolerant of family and friends. The member spends hours away from home in the almost constant company of group members at the place of worship. The member may also be performing group duties of proselytizing, raising money by selling or begging, or recruiting. Diet, speech, rituals, prayers, dress, sleep, hair style and demeanour may change in a relatively short time. Many members quit

school, withdraw from older close relationships, and shun previously enjoyed activities, such as sports, music, sex, dance, and reading. At times there is total estrangement from the family. Families are often made to feel that they are sinful and anathema to the cult member. No case, to my knowledge, has been without conflict between the generations over joining the cults. There are discussions, arguments, confrontations, demands, contracts, ultimata, and sometimes violence in an escalating sequence of tension and conflict. Parents feel that they are losing the battle and their children. They feel helpless and try to contact any kind of authority, which usually proves to be of no avail.

The member has never felt better. His self-esteem has risen. He has never felt so happy, accepted, and purposeful. He is feeling stronger, sleeping and eating better, and his anxiety level (felt tension) has diminished markedly. He is off drugs, if that was a problem, and no longer feels alienated and demoralized. He feels an integral part of a group which accepts, nurtures and supports him. He also experiences a spiritual awakening which is both novel and exciting. He now has an intense belief system and is a member of a powerful group. At this point, as one might expect, the individual is unshakeable in his beliefs because he feels indisputably saved.

The following has been reported but poorly documented:

- constriction of affect: a kind of blunting of variation in the mood state and emotional spontaneity;

- a lack of genuine caring for others outside the group;
- a lack of sensitivity to the needs of others; markedly decreased empathy;
- a radical narrowing of interests and preoccupations, activities;
- a fervent religiosity;
- intolerance and close-mindedness to conflicting or different ideas;
- a happiness that is genuinely felt, but is not "contagious" -- that is, its pleasureable phenomenology is not easily conveyed to others;
- a lack of spontaneity, or a sense of humour;
- diminishment of abstract and hypotheticodeductive reasoning and thinking;
- total obeisance to the religion, and especially to the words of its guru or leader, no matter what is demanded;
- a suspiciousness of and even hostility to all "outsiders" -- non-members, friends, family -- who are seen variously as unfriendly, uninitiated, unfortunate, materialistic, ignorant, heretic, sinful, threatening, sinister or dangerous;
- a withdrawal from old personal relationships which even a few short months earlier appeared to be loving and mutually supportive;
- a rote parroting of the tenets of the religion without understanding, sensitivity to the appropriateness of the situation or context, and total lack of spontaneity, individual creativity and personal consideration.

These and other complaints and attributes of fringe religious groups have also been described in movements which do not arouse the ire of the population at large and are part of traditional, established religions. For example, this author has been visited by frantic parents whose sons or daughters belong to fundamentalist Christian communes, or have become born-again Christians, or belong to offshoots of the Lubavitch Orthodox Movement in Judaism. There have also

been complaints from parents whose youngsters (usually in their twenties) are in small groups of five or six persons running a thriving business. Yet the groups are intensely involved in a particular exotic belief system or may use music as their chief means of communication, activity, and worship. Parents may object to a group because its lifestyle is totally abhorrent to theirs but does not appear to be religious in any traditional sense.

Furthermore, every attack launched by a frightened parent or concerned mental health professional means equal and opposite responses by the members or by well-placed others who genuinely feel that the attacks are unwarranted, invalid and libellous. Again, we are not looking at young people who are hospitalized as a direct result of these groups. To the contrary, we are looking at mental health measures, even if the members were more susceptible a priori. In fact, most improved as a result of joining, and symptoms of anxiety, depression and psychosomatic complaints all diminished. Many were in better shape physically, too.

It is rather the radical changes in behaviour and belief and the total sway of the "true believer" which is frightening to those close to the member.

Prof. Richard Delgado has recently formulated a concept called "cult indoctrinee syndrome." It is supported by esteemed clinician-researchers, such as Margaret Singer and Louis West. Its features include:

1) Sudden, drastic alteration of the victim's value hierarchy, including abandonment of previous academic or career goals.

2) Reduction of cognitive flexibility and adaptability -- answers questions mechanically by substituting stereotyped cult-specific responses.

3) Narrowing and blunting of affect. Spontaneous feelings of interpersonal affection or love are suppressed -- may appear emotionally flat and lifeless or almost frantically cheerful and ebullient.

4) Regression. The victim becomes childishly dependent on the cult leaders.

5) Physical changes, including weight loss -- deterioration in the victim's physical appearance -- mask-like facial expression.

6) In some cases, clear-cut psycho-pathological changes, including dissociation, obsessional rumination, delusional thinking, hallucination, and various other psychiatric signs and symptoms.

In the opinion of this writer and others, such as Pattison and Galanter, the syndrome is not representative of the majority of cult members. Its appearance is not a figment of Delgado's (et al) imagination. To the extent that it does occur and can be substantiated, society must indeed be concerned.

A major problem in the cults and in the therapeutic groups involves separating the good from the bad and the

beneficial or neutral from the dangerous. This author knows of a group which is as loving, productive, caring, creative as one might find anywhere. This group has been labelled a cult and attacked. The members are in close contact with their families, earn money by productive work, teach, do charitable acts and are friendly. In this case, the lives of the members have changed markedly: their dress is novel, they do engage in different rituals, meditation and chanting. Yet an observer feels a sense of ease, freedom, openness, respect, and trust.

On the other hand, this author feels some other groups to be closed, hostile, intolerant, and constricting. Charles Manson's group had all the elements of a cult, as did Jim Jones' Peoples Temple. These two are the most recent and most extreme examples of diabolical intent and result. Adolph Hitler, too, led a "cult" on a grand scale with obviously horrible results. Some other groups, not quite so sinister as these, give outsiders the message, "Keep away!" and a sense of potential danger.

One paradox for critics of cults and for mental health professionals is that when an intense belief system and sense of belonging captivates a young person, he or she is less liable to be hospitalized, suicidal or jailed for overtly anti-social acts. This has been shown in large-scale social and political phenomena all over the world. The symptomatic correlates of mental illness are in fact diminished. In an age when lack of ideological commitment, materialism and

narcissism predominate, and the extended and even nuclear family is disappearing, young people at risk are attracted to movements which promise that these prominent feelings of alienation, demoralization, low self-esteem, and existential dilemmas will be ameliorated. Thus, a number of clinicians and social scientists have reported that positive personal and social benefits do in fact accrue to the members. Religious youth cults have even been described as alternative healing social networks by E.M. Pattison. Parents of members find this understandably difficult to swallow. All they see are sons or daughters who are committed to a way of life which frightens them. They cannot believe that individual free choice could account for the radical conversion. They are concerned and have strong support from some clinicians and others that mind control, hypnosis, subtle coercion, brainwashing or psychic persuasion must be involved.

AFTER THE CULT

This is a time fraught with emotional upheaval for many of the ex-cultists. There are a variety of emotions that are commonly reported during this period. Initially, there is a reaction closely akin to culture-shock. The cult provided them with a defined value system, rigid rules and tenets, an omnipresent group, scheduled programs, tasks and rituals, and a narrowed frame of reference and interests. There was at least one period when, as members of the group, they felt secure, safe, happy, confident and loved.

Once out of the cult, they find themselves in a new society. Fewer rules exist, but more ambiguity and abstractions; there is less intense bombardment of stimulations from a few sources, but more superficial stimulation from multiple sources; more privacy, but increased loneliness; and fewer answers, but more questions. They have lost time from school or work, which is difficult to make up; they have severed old and close relationships (unalterably at times); and they may feel intensely alone. In addition, the failings and foibles of the society, which were criticized by the teachings of the cult and perhaps with validity, loom large and real. There are ambivalences, mixed feelings, regrets, and confusion; exhilaration and excitement alternate with sadness and self-deprecation.

As in most instances of culture shock, these feelings are temporary and the individual reverts to a more consistent behaviour and emotional pattern. In the cases of many ex-cultists, certain feelings and preoccupations predominate for months after leaving the group. They are:

Guilt - The individual may feel guilt-ridden for a number of reasons. He may feel that he has deserted the religious group, his friends there, and has abandoned his religious principles. He feels sinful and inherently evil. Conversely, guilt may also be experienced for having put one's parents through a tortuous ordeal.

Shame - This emotion is closely tied to guilt but underlines the intense humiliation he feels. Again,

this is in two contexts: a) Shame in the eyes of the religious group. He feels like, and is often treated as, a deserter or traitor.

b) His home community, especially among friends, extended family and acquaintances. He may perceive that everywhere people are talking about him in a derogatory fashion.

Fear - The ex-member fears retribution on the part of the group or the deity. He may be afraid of physical harm or damnation. At other times, it is difficult for him to put his finger on a specific object of his fear.

Reversion - The former member has reverted to pre-existing problems, such as neurotic or characterological conflicts. He now faces low self-esteem, alienation and demoralization.

Other affective and cognitive changes reported by M.T. Singer are indecisiveness, slipping into altered states of consciousness, blurring of mental activity, uncritical passivity, difficulty with money and a let-down feeling of no longer being elite.

These feelings and thoughts may predominate for months, and the ex-cultist may need psychotherapy to get over this uncomfortable period. At times there is little choice in the matter: the feelings evolve into full-blown psychopathology. This may be due to an intensely conflictual situation, where the young person feels torn by both worlds

and is paralyzed as a result. What clinicians will see in such cases is variable, but this author has seen all of the following:

- Phobias - intensely fearful
- Depressive reaction - self-deprecation, inertia
- Ideas of reference, paranoid ideation
- Intense anxiety - free floating, persistent
 - sleep disturbance, insomnia, nightmares
 - sweating
 - perceived tension, reported as nervous or "uptight"
- "Flashbacks" - recurrent memories, almost like hallucinations, of intense highs, chanting, rituals, warnings from the group; floating into transient dissociative trances.

There have been reports of psychoses and hospitalization due to contact with one or another of the cults. This writer has not personally seen such cases or any good documentation on this, although he has no doubt that it has occurred, as was seen with the therapeutic groups. In these cases, the stress of the intense conflict is too much for the individual to handle, and he decompensates. The possibility exists that he was particularly vulnerable a priori, but there is no proof.

There are several important caveats here. We have no statistics as to the rate -- the incidence and prevalence -- of breakdown. We don't know what percentage of all the members of each cult require help as a direct result of their involvement with the cult. We do not know which cults are more oppressive in this regard, but we have our suspicions.

There are problems with all the above generalizations because we are unfairly maligning some groups which are genuinely beneficial. Many established and accepted institutions and religions in society utilize just about all of the methods reported as examples of the dangers of these groups. Severe dietary and sleep restrictions are practised by some groups voluntarily.

On leaving cults, former members often revert to their mental state before their joining. Feelings of alienation (including meaninglessness, powerlessness, isolation) demoralization, and low self-esteem can return with the same intensity which attracted the member to the cult in the first place.

Individuals can and do break down under intense stress in a variety of situations. For example, medical school pressure has precipitated in some students severe breakdowns and even suicide. Even with human modifications in the curriculum, there will always be those "at risk" -- who find the course just too intense and cannot handle the resultant stress. However, there are obvious differences, including careful screening, informed consent, and freedom to leave.

DEPROGRAMMING

For our purposes, we are using the term "deprogramming" to involve:

- | | |
|-------------------------|--|
| <u>Coercion</u> | - utilizing subterfuge, false pretences, or force to lure the unwilling cult member to a private location. |
| <u>Detention</u> | - a locked or guarded room or setting. |
| <u>Numbers</u> | - invariably more than one, often more than two deprogrammers. |
| <u>Hyperstimulation</u> | - confrontation, browbeating, constant input; unidirectional. |
| <u>Wearing Down</u> | - little or no let up; surprise or random breaks and resumptions. |
| <u>Substitution</u> | - of a "better" belief system. |

Others may disagree with this definition, but it comes closest to this author's personal experiences with this process. It is an issue reft with philosophical, ethical, legal, civil libertarian and psychological concerns. The very nature of the term pejoratively describes the process by which young people go into the fringe religions. This author has heard of quite a few but has seen only one successful deprogramming -- that is, the avoidance of the group for longer than a year after deprogramming and the maintenance of a normal symptom-free life outside the cult. The author has seen also the results of numerous failed deprogrammings -- total estrangement from families, return to the group, the popular appearance of being brainwashed, and emotional decompensation.

Without impugning the motives of deprogrammers (mercenary, fundamentalist converters, power-trippers, cultists, and messianic zeal have all been suggested) or casting aspersions on their expertise, this author is not impressed with their sensitivity and efficacy. This is an unpleasant, dangerous and avowedly illegal procedure. If means to an end excuses the process, we should at least have confidence in the ends. Unfortunately, this is not always the case.

But anyone who has worked extensively with cultists and their families can easily see how parents are driven to this alternative. It is very difficult for a mother and father -- following years of upbringing, shared joys and pains, love and aspirations -- to see their child enter a way of life which they consider sinister or dangerous. It is a frustrating and poignant situation. This author cannot in good conscience support deprogramming, but neither can he censure it in all circumstances. For example, if parents of a young person in Jonestown had considered deprogramming prior to the holocaust there, they just might have saved their child's life. Or if a child of 15 years of age or under is in a cult, deprogramming might be considered if all other methods have failed, e.g. conservatorship. Like so many other clinical issues, this one does not lend itself to easy answers.

And as in other controversial situations, clinicians are divided about definition, indications, criteria, contra-indications, methodology, and outcome or results. Most

express reservations about deprogramming and a general unwillingness to use it except in extreme circumstances. How these circumstances are defined, and by whom, are open and obviously sensitive questions. Some experienced clinicians, such as Singer, are all in favour of deprogramming when the members are in groups such as the Unification Church (better known as the Moonies), Church of Scientology, Hare Krishna and the Divine Light Mission. Others declare unequivocally that deprogramming is destructive, illegal, an infringement of civil liberties, ineffective, and cruel. They feel that it should never be employed.

There is one circumstance during the young person's involvement with the cult which offers the best chance for success of any attempts to convince him to leave. It seems to come when the individual begins doubting his commitment. He sees hypocrisy, dishonesty, inconsistencies, lies or outright exploitation. He begins to question his blind faith. When this happens, he often becomes frightened and confused. If he confides in his religious leaders, they can relatively easily with pressure, shame, support, "love," and threats bring him into line rather quickly. If he shares these feelings with his family or outside friends, then they are in a good position to act, if they can get him away from the cult, alone, for a couple of days.

This is not an uncommon occurrence. The author has seen more than a dozen individuals in similar circumstances. The process involves a member who is already amenable to the

possibility of leaving. This is the kind of work which some individuals do, and which they call deprogramming. It most emphatically is not. There are no kidnappings, violence, threats, and locked doors. This is work that many clinicians and others can do. It involves sensitive interviewing and getting the individual to open up and to be "in touch" with his fears and anxiety. It also includes "uncovering," and the use of cathartic techniques. The clinician concentrates on doubts already raised by the individual; he brings the hypocrisy or deception (if they are there) into the conversation. Considerable activity on the part of the clinician is indicated, and close friends or family or family care are often utilized at this point.

The efficacy of classical deprogramming is another debatable issue. A number of failed attempts have resulted in reversion to the cult, suits brought against parents and perpetrators, confused mental states or the appearance of the cliched "brainwashed" look. It is a highly stressful procedure which, like the cult or group itself, might prove to be beyond the defenses or coping abilities of the vulnerable individual. There are also reports of successful deprogrammees who have had the extreme procedure, come out feeling well, and are able to resume previous relationships and activities. Quite a few are filled with a new messianic zeal to help other cultists to leave, to deprogramme, and to lead public education campaigns.

Most young cultists do come out of their groups on their own, often with the help, encouragement, and advice of friends and family. However, there is no guarantee that this will occur. Some stay for a short period; others, for years. Obviously, the longer one is in a cult, the more difficulties are felt in leaving. Predicting the course of one person's experience is well nigh impossible. It is in part this ambiguity which drives some parents to attempt radical solutions that they would rarely condone in other circumstances.

BRAINWASHING AND HYPNOSIS

Frequent charges are levelled that mind-expansion groups and fringe religious cults use techniques similar to clinical hypnosis and akin to the brainwashing of war prisoners. Delgado and R.J. Lifton claim that some cults use techniques of control employed in Chinese prison camps during the Korean War. Lifton has postulated eight basic psychological themes, which are incorporated in classical "thought reform." They include: 1) milieu (media, diet, sleep) control; 2) elevation of importance; mystical manipulation; 3) demands for ideological purity, and guilt if unattained; 4) personal confession to the entire group; 5) acceptance of group as sacred and sacrosanct; 6) constriction or "loading" of language into polarizing and confusing terms, or salvation only to members; 7) subordination of the values of the person to that of the doctrine or religion; and 8) dispensation of existence.

Lifton believes control over these variables results in a process called "ideological totalism." However, each one of the criteria in his definition is subject to broad interpretation. They do not lend themselves to concise measurement, and one is still left with a controversy as to whether brainwashing is being practised by the cult.

Even an issue as seemingly straightforward as "freedom to leave" is in fact complicated and controversial. In defending the practice of cults, some writers have noted that war prisoners are captive and thought reform is coercive, wilful, and programmed, whereas cults are presumed by them to be open and recruits free to leave at any time. Yet, classical experiments on the effects of group pressures show the potency of this force. Even where there is no physical restraint, an individual undergoing intense discomfort in a group experience might find it impossible to leave because of real or imagined fear, humiliation, guilt, shame, lack of confidence, and low self-esteem. He might feel every bit as imprisoned as a shackled prisoner; yet the group can claim total innocence, certainly in the eyes of the law.

Hypnosis is a process of achieving in a subject an altered state of consciousness -- a trance-like state in which the individual is awake, yet highly suggestible to requests to perform some acts which he might not do otherwise. Although not asleep, the subject has access to preconscious and even unconscious material which, at times, enable him to "abreact" -- to relive emotionally a possibly traumatic event.

There is a suspension of rational, critical thinking so that one is more open to novel experiences and responses. It may precipitate an amnesia for the period of the trance. Hypnosis can be performed in individual sessions or in large groups. A high degree of suggestibility and positive motivation a priori is usually necessary. It is this factor which makes the whole area so controversial. Are we dealing with purposeful thought control by hypnosis on unsuspecting, susceptible individuals? Or is it rather a case of phenomenally predisposed young men and women responding to a powerful, yet innocent, group situation? Or, most likely, is it a combination of the two?

Attempts at prosecution under the Hypnosis Act in Ontario have failed because of difficulties in the definition of hypnosis. Even if unanimity of opinion on these matters were achieved, it would remain almost impossible to prove that hypnosis is indeed utilized by any of the groups.

After reviewing the voluminous literature in this area and after many interviews, I am convinced there are some overlaps in the recruiting and conversion tactics of some mind-expanding groups and cults and in clinical hypnotic and brainwashing techniques. There are similarities, but the differences are sufficiently strong that direct accusation or indictments on this basis are almost impossible to substantiate or relatively easy to refute. The confounding factor may be the initiate or convert himself. There is no doubt that hypnosis and mind control involve powerful

techniques, many of which are used by traditional psychotherapists and have the potential for considerable abuse. The technique becomes dangerous in the hands of a destructive or irresponsible person, or one who cannot recognize or treat bad reactions.

In all the cases we have examined, members before joining were characterized as having significant voids in their lives. They experienced alienation, demoralization and low self-esteem, and many were looking for answers to life's perennial dilemmas. A group that fills these voids and promises answers attracts these particularly disposed individuals. But the crucial ingredient is the predisposition. It has been referred to as "ideological hunger," an insatiable need to have a cause to champion. Earlier, when we discussed casualties, it was pointed out that those with the most unrealistic expectations, lowest self-esteem, who utilize defense mechanisms such as denial and repression, were most vulnerable to undue pressures of the groups. But these are all on a continuum. Many members had a need for magical and mystical solutions to their unending quests.

They all became true believers, and an individual bent on this course is difficult to divert. Whatever group or cause célèbre touches him at a critical period may be the one he adopts. Hypnosis or mind-control techniques may be secondary in importance to the particular traits of the intense believer. These young people have a great need for absolutes, to counter ambiguity and the pain of the

indeterminable. The conversion experience is a revelation to these individuals. It is exciting and exhilarating; it is also accompanied by a sense of relief, a clarity, even at times an altered state of consciousness. It is also a closed system, blinding them to other sources of information and contradictory ideas. It encourages ethnocentrism and intolerance of others, especially of competing movements. The centrality of the belief, the all-embracing and absolute nature of the "answers," determine the perception of the true believer's reality, which becomes highly focussed, narrowed yet malleable within the group, and resistant to outside influences.

True believers, then, voluntarily have become proselytizers, crusaders, and salespeople. It is not enough that they have seen the light; others also have to get the message. The mission becomes their *raison d'être*. Because of their extreme need to believe and belong and to feel good about themselves, the group may have to do very little to convert new recruits -- they almost do it themselves (auto-hypnosis?). If the group is aggressive about gaining members, then we have a potentiating situation, and the recruit is "hooked" earlier, faster, longer and more intensely.

We have been discussing fringe religious cults and mind-expanding groups that attract young adults and captivate them. But lest we conclude that these are the only types of groups in society which attract potential true believers, one need only look at human potential groups, health food addicts,

the religious joggers, the political underground adherents, and faith-healing disciples. At times there is the same kind of narrowing of interest, suspension of critical judgment, total unequivocal involvement, verbal preoccupation ad nauseum, and proselytizing that are commonly seen in the groups under discussion. The major difference between the former and the latter is that no recruitment activity is necessary or done for these movements, and there is certainly no process of induction of a trance state or any activity even vaguely similar to hypnotic techniques. The attraction is the mission and the group; the hypnotizer is the individual himself.

The purpose of this particular discourse is not to label the adherents to many causes in society as brainwashed, but rather to highlight the difficulties in accusing some groups of utilizing techniques of mind control. That control is often self-generated.

INTERVIEWS WITH CLINICIANS

A total of 20 clinicians, mainly psychiatrists, were given lengthy, structured interviews by the author of this section, sometimes with two or more staff in attendance and at other times on a one-to-one basis. In addition, informal discussions with many colleagues were conducted. The clinicians had some knowledge, experience or expertise in the area under study. Because of the inexact nature of the findings and responses, we shall discuss the findings in a narrative, rather than a tabular, form.

We are most appreciative of the time and effort that these professionals gave, despite their own important clinical and academic work. They came in on a voluntary, non remunerative basis. Significantly, they had a wide range and diversity of experience and opinion on the subject. It was in fact disconcerting that such a lack of consensus existed on such an important professionally (and personally) meaningful topic.

In addition to the 12 documented cases reviewed, there was considerably more anecdotal reporting in less detail on another 25 individuals who were described as having had difficulties possibly relating to a cult or mind-bending group. Most felt that known techniques in some forms of psychotherapy could be used abusively, exploitatively and even dangerously. In the hands of the insensitive or the unscrupulous, these abuses can convey a tremendous amount of stress on a vulnerable individual and can precipitate a reaction which can culminate in a severe emotional reaction.

A serious disagreement in this regard concerned whether an over-age-of-majority adult enters a group freely or is duped, mentally coerced or hypnotized into sinking into the whole program, including time, energy and money. Another involved whether casualties can be proven to be the direct result of a particular group experience. Most felt that proof was extremely difficult to determine in these circumstances.

The specific practices most vehemently criticized by the clinicians have been outlined in the section on Casualties. One that consistently raised hackles was the

practice of "healing" -- the discontinuation of a recognized and effective medical treatment in order to utilize spiritual (or conjectural) means of treatment. It was felt that the gullibility and magical expectations of seekers makes them extremely malleable and suggestible to the ministrations of charismatic healers or religious leaders who promise salvation, self-improvement and absolute answers. Where else can one get these ingredients so readily in a world of insecurity?

Clinicians admitted that traditional and "acceptable" religions and psychotherapies have also engaged in practices attacked in the groups under discussion. The major differences stem from the level of training, responsibility, and accountability in the former vis-à-vis the latter. As well, they felt that there was more individual initiative, thought, and choice (to leave, for example) encouraged in traditional religions and psychotherapies. Furthermore, it was felt rather strongly that the practice of encouraging estrangement from families was particularly reprehensible. However, even this practice was cited as having precedent in the New Testament, Matthew 10:34-39.

Their definition of cult or mind-bending group, as with parents of members, was obviously in the eye of the clinical beholder. They all agreed that different size groups which inculcate a strong belief system and a powerful supportive group, can all attract impressionable young people. Jones, Manson and Hitler were cited as the worst examples. To deem a group as inherently dangerous to society or to its

members was a step many clinicians were not prepared to take. Yet, a few were outspoken about the tyranny, destructiveness and serious danger intrinsic to at least some groups.

The clinicians were also divided regarding the a priori degree of psychiatric susceptibility in those attracted to the various groups. And indeed this is an accurate reflection of research findings by Levine and M. Galanter which show that about one-third of members have had previous psychiatric treatment. As mentioned earlier, this is not necessarily an indication of susceptibility to untoward reactions in the group. They did tend to agree that the groups were particularly attractive to those who had difficulties with existential dilemmas, were manifesting a need for absolutes rather than ambiguity in their lives, had low self-esteem, and were feeling alienated and isolated.

The large majority of those interviewed agreed that there were probable benefits accruing to a large number of members. Terms like identity, answers, belonging, security, meaning, self-importance, were used repetitively. A caveat offered by a number of the harder-line clinicians was that it was too great a price to pay to achieve these goals. The price, as they saw it, had to do with surrendering one's individuality, autonomy, freedom and older meaningful relationships. The estimate varied widely on the number of the total membership that became casualties. A couple of clinicians estimated that between 10% and 15% of participants in spiritual mind-bending groups ended with emotional problems

as a result of their experience. Most said they could not even hazard a guess, while a few felt that it was a negligible casualty rate, certainly not greater than that of the established religious groups or institutions which inadvertently or by design create a great deal of stress for their members.

Generally, the clinicians were not very familiar with the whole area of deprogramming, especially the mechanics of it and the effects on members. There was a strong feeling among all of these mental health professionals that they would not like to see it used, largely on civil libertarian and legalistic grounds. They had little data as to its efficacy, contraindications, or results. A couple of clinicians had heard about isolated examples of successful deprogramming, while others had heard about failures and unpleasant results for all concerned.

When they were pressed by the interviewer to consider imaginary cases of an under-age-of-majority child whom the parents have not been able to get out by any legal means, or a son or daughter (any age) in a group such as Jones' or Manson's known to be considering a terrible act, most clinicians felt in these cases they would at least consider the possibility of using deprogramming. As in so many other areas, there was a line which demarcated the suspension of traditional approaches, values and practices. When crossed, the line could precipitate behaviour which would ordinarily be abhorred. This is the very position in which many parents found themselves when they contacted these or other clinicians originally.

However, if given a choice, all clinicians would want to use legal means to get someone out of a cult, and then only if there were demonstrated harm to that individual. Some felt that if an adult chooses, no one has a right to infringe on that choice despite obvious harm. This points up the bitter conflict about the presence of absence of free choice in a group that is accused of utilizing techniques of hypnosis or brainwashing.

The clinicians disagreed on the entire question of mind control. Opinions ranged from total absence of hypnotic or programming techniques, to inadvertent use of some methods of indoctrination and, further, to a highly sophisticated, deliberate use of brainwashing techniques. Obviously this varies with the particular group in question, but most felt that members come primed for this type of experience to occur. Thus it doesn't take much to hypnotize them in their suggestible, malleable, and highly expectant state. The recruitment procedure of some groups was criticized as being an "escalating seductive" type: once in the group, intense group pressure was utilized as standard operating practice. There was strong sentiment, again, that similar practices were employed by other non-controversial groups in society.

The whole question of other unlicensed individuals invading their territory by promising mind expansions or personal growth upset some clinicians, only because promises could not be fulfilled and this led to the manipulation of clients. None of the clinicians felt threatened that their

livelihood was being compromised. But many questioned the lack of training, responsibility and accountability, clinical insensitivity, exorbitant fees, and potentially abusive practices of some groups and unethical leaders. Most decried the limitations in setting uniform standards of practice for professionals and others in the area of mental health. None of the clinicians suggested that only their profession had the right answer to mental illness, emotional problems or existential dilemmas. In this regard there was a general humility among those interviewed which was significant in light of their antipathy to those who make messianic claims.

There was a general feeling that it would be good if the government could protect the consumer and exercise some control on unethical or destructive practices. However, they were not optimistic about achieving this end without infringing on acceptable religions and therapeutic groups, or without creating an unworkable bureaucracy. Some suggestions included registration, licensure, monitoring, investigation and prosecution for violations of the Criminal Code, peer review, informed consent, conservatorship and advocacy. All had inherent feasibility and logistical problems. Some felt that existing laws, if enforced, were sufficient to control these groups, whereas any added legislation would cause more problems than it would solve. There was a general receptivity to the notion that if investigation of these groups is pursued, then traditional groups should be subject to exactly the same kinds of questioning.

All felt that young persons will always be attracted to groups holding out simplistic solutions to the complexities of contemporary life. Terms such as alienation, anomie, rootlessness, demoralization, materialism, familial breakup, and narcissism, were used to describe characteristics of contemporary society. These made it a fertile breeding ground for new religious and therapeutic groups. There were some suggestions that the problems associated with some groups would not be eradicated by new legislation, therefore a preventative approach must be taken. Public education was suggested as a major neglected area for providing consumers with known information. The public should be told, as well, what is unknown about all kinds of groups, what religion is all about and what is mind expansion, hypnosis, spirituality, and psychotherapy. Perhaps more importantly, it was felt that society has to begin looking at ways to captivate the intrinsic ideology and energy of young people in socially adaptive and constructive ways. A purposeless society is ultimately one that fails; and alienation and demoralization of all ages is common but can be ameliorated.

WHO SHOULD DO PSYCHOTHERAPY?

Psychotherapy has been defined as a situation "in which a trained person deliberately establishes a professional relationship with a patient (client) for the purpose of removing, modifying, or retarding existing symptoms, of attenuating or reversing disturbed patterns of behaviour, and

or promoting positive personality growth and development." This is a "medical model" definition, but it is sufficiently broad to encompass the vast number of groups which purport to perform these functions.

Many so-called mind-bending groups and publications have attacked psychiatry, the pinnacle of established psychotherapy, as detrimental, dangerous and destructive. Even within that profession, many questions have been raised about the efficacy, indications, usefulness and dangers inherent in its practices. This is in spite of the fact that training in psychiatry has the most elaborate, broadly based and comprehensive supervised teaching of psychotherapy of any profession. Furthermore, psychiatry in university medical schools is heavily involved in research on psychotherapy.

The proposed Psychologists Act was withdrawn by the Ontario government after an outcry by enraged psychotherapists of all persuasions that their competence, credibility and means of livelihood would have been called into question and severely curtailed.

Many professionals are proud of their traditions and jealous of their expertise and accomplishments. They hold proprietary and territorial interests in the domain of their concern. Psychiatrists have been critical of the human potential movement; growth centres criticize behavioural and medical dehumanization; behaviourists decry Transcendental Meditation's grandiose promises. Carl Rogers, Abraham

Maslow and Fritz Perls are seen as oases in a desert of psychoanalysis; analysts see phenomenologists as misguided and superficial; primal therapists are suspect on theoretical and clinical grounds; EST has been described as a gigantic "put-on"; and Scientology sees psychiatry as a dangerous profession -- and the feelings are mutual. So it goes, on and on. And these are just some of the movements functioning in the community. Who are the charlatans and the quacks? Who are the good guys and the bad guys?

Considerable research on the efficacy of psychotherapy has shown that crucial ingredients in successful therapeutic work are empathy, trust, warmth, and concern. It is at least as well correlated with these factors as with the nature of the therapeutic school, and level of experience of the therapist. This is not to say that there are no specific skills involved, but that they are exceedingly difficult to delineate as being vital to the therapeutic process when looking at results. There is no doubt that we are not yet at the stage where unanimous agreement can be obtained on accurate standards of clinical training and practice. Ongoing attempts are occurring in a variety of university psychiatry departments to study scientifically the process of psychotherapy in order to delineate with confidence the indications and contraindications for different types of psychotherapy, projected results, and the necessary characteristics of an effective psychotherapist. In Canada, McMaster University is studying outcome of therapies, levels of competence of various therapists, effective teaching of

psychotherapy, and indications for back-up supervision and consultation.

Limited usefulness has come from asking patients or clients about their levels of satisfaction with the services rendered. While there is a positive correlation between satisfaction and self-perceived outcome on the one hand, and actual improvement on the other, it is not fool-proof. Some dissatisfied individuals have improved; and some satisfied patients actually got worse. Feelings of clients are at least as closely tied to the personal relationships with the therapist as with the specific mechanics of intervention. Furthermore, it is inherent in the beast that literally any kind of psychotherapeutic endeavour will attract seekers and develop a legion of disciples who will be only too happy to offer testimonials as to the efficacy, potency, integrity and salvation intrinsic to the process, sometimes proffered with messianic zeal.

Even the question of casualties or abuses of powerful psychologically manipulative techniques is more complex than it seems initially. There are poor statistics about the rates of casualties as a result of any particular modality. The documentation is not rigorous, and conclusions regarding causation certainly are open to serious question. Vociferous critics of psychiatry, such as Scientology, estimate high casualty rates as a direct result of this profession's intervention, especially by medication or electroconvulsive therapy. While there is some validity in their accusations, it points

up the difficulties of measuring one group of psychotherapists against another. Contraindications and negative effects of various forms of psychotherapy are an area that has simply not been sufficiently studied. Another burgeoning school of thought attributes the success of psychotherapy to mysticism, magical expectations, belief and ritual -- all the accoutrements of a religious experience.

Various professional guilds have attempted to avoid being lumped with the questionable practitioners of the art of psychotherapy by requiring licensure, as mandated by law. This has proven to be of limited, if any, benefit. Paradoxically, some evidence shows that licensing maintains a structure that is in the self-interest of the service provider and may even oppose the public interest. Licensing may result in the institutionalization of a lack of accountability to the public. It may encourage elitism and higher fees, discourage innovation and progress, obfuscate malpractices, discriminate against the disadvantaged, and severely limit the contribution of paraprofessionals. Recently statutory regulation by way of licensure or certification has burgeoned, but abuses do not appear to have been curtailed. There is some sentiment, albeit controversial, that psychotherapy has not yet reached the stage of definition of techniques and responsibilities that would merit licensure.

However, certain questions can be asked of any practitioner of psychotherapy. One can inquire about the training and experience of the therapist. Former patients

or clients can be contacted to give their impressions. Are consumer groups, the Better Business Bureau, or the Ministry of Health aware of the group? Is there rigorous screening of prospective clients? Are good records kept? Is confidentiality maintained? Is backup consultation or supervision available if necessary? Is there informed consent, with total disclosure provided, and fully understood by the client in advance? Is there any follow-up? Is there recourse to complaint, and discipline if indicated? Is there any suspicion of fraud, misrepresentation or duplicity? Are fees disclosed in advance, and not unreasonable? Is there any rumour, suggestion or evidence of intense confrontation, sensory deprivation, sexual exploitation, restriction of freedom, or violence. Is there any evidence or rumour of casualties? Are they promising a new world? Are they trustworthy? Are they responsible, conscientious, sincere, caring? Are they humane, kind, empathetic? Do they (can they) vary their techniques to suit the situation and the particular client? Can they recognize and deal with serious psychopathology, or crises? Do they follow up interviews?

Even after these and other questions are asked, one is still left with largely unknown variables. None of these questions alone tells a person much, but the sheer confluence of information on the basis of answers to multiple questions can serve to give one a sense of confidence or suspicion about a particular psychotherapy.

Of course, the unmentioned ingredients in all of this are the intelligence, susceptibility, personality, and gullibility of the prospective client or patient. In many ways it is like looking for the right religion for an individual. And many authors have considered the spiritual and religious aspects of psychotherapy crucial to its efficacy.

MINISTRY OF HEALTH

While information from the Ministry of Health has been incorporated into other sections of this report, a brief look specifically at the Ministry's experience in this field might be useful.

In response to our requests for information for this study, the Ministry representatives answered willingly and candidly. However, Ministry information regarding the nature and number of mental health problems allegedly generated by practices of some groups in question was sparse. Its grasp of various techniques said to be practised by the groups was superficial. Its legislative clout was minimal.

Among the more incisive documents in Ministry files were analyses of and references to problems it had in applying legislative remedies under its jurisdiction to practices believed to be injurious to mental health. Cases were cited in which a mind development group's emotionally-charged confrontation techniques reportedly led to half a dozen acute psychiatric disorders and hospital treatment. Application of the Mental Health Act to cope with the problem was explored

and rejected as extremely difficult to enforce. Little chance was held out for making a case under the Health Disciplines Act which prohibits the performance of a medical act by anyone other than a professional licensed to perform it. The Hypnosis Act was deemed to be of little value in such matters because of the difficulty envisaged in proving that a group's practice was, in fact, hypnosis. All these as potential courses of action were evaluated, considered and rejected because of inadequacies inherent in the three Acts (legal counsel opinion), and inadequacies in the definitions of psychotherapy, hypnosis and health care, and the lack of information about the specific nature of the practices of the various groups.

However, the practices described and considered and the legislation in this field reflect concerns appropriate for a government health agency. Unfortunately, the Ministry seemed concerned about finding remedies for problems which have not been clearly understood. The Ministry had only sketchy, second-hand reports of psychotic breaks and other severe psychiatric problems suffered by members of a group. It had not tried itself to gather data on such cases. And six cases over a three-year period, in which people reportedly needed hospital care after taking mind development courses, did not cause an investigation to be initiated.

The Ministry's lack of its own hard data on the subject and its collection of but a few of the more substantial pieces of literature in the field are both a reflection on

its own trepidation and lack of assertiveness, and on the poor state of knowledge in this whole area.

The Ministry could certainly promote research in this area, as it would in the case of any phenomenon suspected of being a contribution to disease or personal suffering. In addition to gathering its own clinical data, it could make research funds available to universities where controlled studies could be done on present and former group members to assess the psychological effects of group membership. These studies should not be in the form of a witch-hunt, but rather an attempt at elucidating a highly complex phenomenon, an honest appraisal of these groups from social, clinical, psychological, and philosophical perspectives.

This is an opportunity -- we might suggest, a responsibility -- for the Ministry to be at the forefront in evaluating, understanding and, if necessary, controlling a major public health concern.

APPENDIX I

METHODOLOGY AND SOURCES FOR HEALTH SUBSTUDY

This report was based on numerous sources of information gathered over a five month period beginning in March 1, 1979. The sources were as follows:

(i) All psychiatric hospitals (provincial, university, private and general hospitals with psychiatry departments) were contacted to ascertain whether there had been any contact with any individuals who were suffering ill-effects (physical or mental disorders) as a proven, presumed or suspected result of a cult or mind-expansion group experience. Presentations, briefs, papers and interviews were requested of any clinicians who felt that they had a contribution to make to this particular part of the study (see Appendix II).

(ii) The Ministry of Health made available to the study all records, communications, memos, briefs and files at their disposal, pertaining to this particular subject. Dr. John Deadman was our contact at the Ministry and helped with resource gathering.

(iii) Interviews were held in camera with clinicians who wished to make a specific, substantive contribution. These were lengthy structured interviews consisting of twelve questions (see Appendix II), in addition to other

material presented by the clinicians at the time of interview or previous to it.

Interviewees included:

Dr. Levine, Dr. Hill & Staff

Dr. Marguerite Archibald, Department of Public Health, City of North York; Dr. David Berger, Mount Sinai Hospital, Toronto; Dr. Peter Butler, Humber Memorial Hospital, Toronto; Dr. John Cleghorn, Department of Psychiatry, McMaster University, Hamilton; Dr. Fred Glaser, Addiction Research Foundation, Toronto; Dr. John Lindsay, Hassle-Free Clinic, Toronto; Dr. Andrew Malcolm, Private Practice, Toronto; Dr. Craig Powell, London Psychiatric Hospital; Dr. Vivian Rakoff, Sunnybrook Hospital, Toronto; Dr. Ronald Ruskin, The Wellesley Hospital, Toronto; Dr. Nahum Spinner, Department of Psychiatry, McMaster University, Hamilton.

Dr. Levine Alone

Dr. Fred Allodi, Toronto Western Hospital; Dr. Peter Brawley, Toronto General Hospital; Dr. Yvonne Kason, Private Practice, Toronto; Dr. Edward Kingstone, Office of the Vice-President and Provost, University of Toronto; Dr. Bernard Schiff, Department of Psychology, University of Toronto; Dr. Susan Schulman, Queensway General Hospital, Borough of Etobicoke.

Dr. Hill Alone

Dr. Jacob Needleman, Graduate Theological Union, University of California, San Francisco; Dr. Margaret Singer, Depart-

ment of Psychology, University of California, San Francisco;
Dr. Thomas Ungerleider, Neuropsychiatric Institute,
University of California Medical Centre, Los Angeles.

Dr. Levine - telephone interviews

Dr. David Barnes, Kitchener-Waterloo Hospital; Dr. John Clark, Department of Psychiatry, Harvard University, Cambridge; Dr. Marc Galanter, Albert Einstein College of Medicine, New York; Dr. Mansell Pattison, Department of Psychiatry and Human Behaviour, University of California Irvine Medical Centre; Dr. Raymond Prince, Mental Hygiene Institute, Montreal.

(iv) Psychiatric hospitalization records (with names of patients deleted) were made available to Dr. Levine of a number of patients who were reported to be harmed by one or other of the groups.

(v) Interviews with ex-cult and mind development group members.

(vi) Interviews with current members of cults and mind development groups, including medical practitioners.

(vii) Interviews with leaders of cults and mind development groups.

(viii) Interviews with parents of members of cults and mind development groups.

(ix) Interviews with deprogrammers.

(x) Review of studies, papers, books directly related to this particular section (see Selected Bibliography - Appendix III).

(xi) Interview with Ontario Medical Association.

APPENDIX IIQUESTIONS ASKED OF CLINICIANS

1. a) Do you have or are you aware of any documentation of mental or physical harm to any member of a mind development or new religious group, cult or sect?
- b) In your opinion could the documented mental or physical harm have resulted from causes other than group involvement?
2. What, if any, specific practices of such groups do you consider to be potentially harmful?
3. Do you believe that any more deleterious practices and effects can be found in sects, cults, new religions and mind development groups than can be found in more traditional established groups?
4. From your own experience do you have concerns that such groups are in fact dangerous to their members or to society?
5. Do you believe that group members are more vulnerable or susceptible psychiatrically:
 - à priori
 - in the group
 - after group experience.

6. Are there positive psychological effects of membership?
7. Would you advocate deprogramming:
 - never
 - in all cases
 - in some situations (which?).
8. In your opinion is deprogramming always/
sometimes/never:
 - beneficial
 - detrimentalState the reasons for your opinion.
9. Hypnosis and Brainwashing: Based on your experience and knowledge are there any similarities between the processes of (a) Hypnosis, and (b) Brainwashing, and what is practised by any of the groups under discussion?
10. What is your reaction as a licensed psychotherapist to groups which promise mind expansion, self-improvement or personal growth?
11. Do you have any recommendations to this study regarding any or all such groups?
 - e.g. - screening
 - registration
 - legislation
 - advocacy

- public education
- guardianship.

APPENDIX III

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